This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

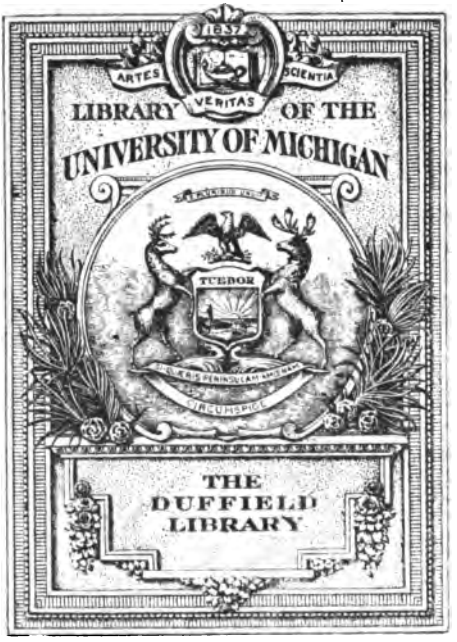
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

A 450816



THE GIFT OF
THE TAPPAN PRESBY-
TERIAN ASSOCIATION

JK
216
.07

320
J2439o

WORDS FOR THE PEOPLE:

IN THREE PARTS.

PART I. CIVIL GOVERNMENT.

PART II. GOVERNMENT OF THE UNITED STATES.

PART III. SOCIAL DUTIES.

BY

ORIGEN.

HARTFORD:
PRESS OF CASE, LOCKWOOD & CO.
1865.

Entered according to Act of Congress, in the year 1865, by
LOUISA JOHNSON,
In the Clerk's office of the District Court of the United States, in and for the District of Connecticut.

JK
216
.07

WORDS FOR THE PEOPLE

ON

CIVIL GOVERNMENT,

The Government of the United States,

AND

THE SOCIAL DUTIES.

In tali nunquam lassat venatio sylva.
A.D.1884.

Tappan Pres. Assoc'n.
9t 7-15-1924

NO. 1.

CIVIL GOVERNMENT.

"I have lived Sir, a long time, (82 years) and the longer I live the more convincing proofs I see of this truth, that *God governs in the affairs of men.* If a sparrow can not fall to the ground without his notice, is it probable that an empire can rise without his aid."—FRANKLIN, in the Philadelphia Convention.

1. THE period is comparatively recent since inquiries began to be successfully made into the best system of Civil Polity.

These inquiries appear to have been first instituted in the seventeenth century, when the attention of some of the best minds in England was directed to the subject.

2. The doctrine of the divine right of kings was early asserted, and endeavored to be sustained by argument.

Among the more prominent of its advocates in England was Sir Robert Fil-

mer, the author of a treatise in which he endeavored to show that the right in question is derivable from the Sacred Scriptures. As a sample of the character of his argument, he seriously asserts that the text which says of Eve, "her desire shall be unto her husband, and he shall rule over her," is the original grant from the Almighty of all monarchical government.

3. The question, as to where the supreme power of a nation rightly and properly rests, is one of the highest importance. It is the question first to be solved in any attempt to build up a true or logical system of government.

Different nations have organized governments, or submitted to organizations, where this power has been differently placed. With some it has been based upon lineage; with others, upon lineage and property combined; with others the church has participated, or claimed pre-

cedence or supremacy; and with others still the republican feature has prevailed to a greater or less degree. In New England, in the establishment of the first local governments, this power was assumed to rest with the members or communicants of churches.

4. Among the earliest and ablest of the writers upon this subject which England has produced, are Sidney and Locke. Other names of note might be mentioned, as Milton, and Bacon, and Hume, and others; but Algernon Sidney and John Locke, if they were not the first to suggest the consent of the people as the proper basis of lawful government, were the first systematically to investigate and maintain that doctrine, and hence are entitled to be placed at the head of the list of intelligent expounders of a theory of civil government.

5. These writers, able as they were in the championship for human rights, fail-

in one particular at least, to enunciate a right theory of government.

They exposed in a masterly manner the fallacy of the divine right of kings, and the claims of lineage and property, and having taken from the social structure these means of support, they presented what they deemed to be a truer and a better. This they discovered to be in the consent of the people governed. The approval or consent of a majority of the people, or of the governed, was in their view the only proper basis for a right and lawful government.

6. This was evidently a great improvement upon the doctrine of the divine right of kings. It was an important step in the right direction, but the theory thus advanced was defective, as stated, in one important particular.—It did not clearly define what was meant by the phrase, "*the people*," or "*the governed.*"

7. In a question of so much import-

ance, a question as to where the supreme power of a nation rightfully and properly rests, there should be no obscurity, no doubt. An English commentator, aware of this difficulty in the theory of Locke, undertakes to say, that by the words, "the people," "Locke and his followers evidently meant the nation at large, in contradistinction to the sovereign magistracy, of whatever nature that may be; not that needy and desperate class of men who, in every country, and most of all under the freest constitutions of government, are always found opposed to the orderly, industrious and fortunate."

8. This effort at elucidation leaves the main difficulty unsolved. It is silent in respect to a very large portion of the people, or of the population.

The females and the children, who, together, comprise full three-fourths of the population in all countries,—if these are excluded, as they are, by the cus-

toms of the world, and have been with few exceptions for all time, good and substantial reasons should be given for their exclusion.

9. In our own country, since its separation from England, we have endeavored practically to illustrate the theory of a government of the people, but, in the framing of the fundamental laws or constitutions of both our state and national governments, we have found it necessary to prescribe limitations to the elective privilege, which, because of there being no clear light to guide our action, have been constantly subject to alteration or amendment, and are not uniform in the several states.

10. In a matter of so much importance as the institution of civil government, an institution in which is bound up, to so great a degree, the highest and the dearest interests of humanity, it is not reasonable to suppose that the Creator has

denied to man the ability to solve the difficulty which exists, and if, in what follows, the solution has not been satisfactorily effected, the conviction will not be the less strong upon our minds, that an explanation is possible, consistent with reason and the laws of the Creator, laws which pervade every portion of His universe, and which should be as clearly manifest in the institution of civil government as in those other phenomena of the moral and physical world where they have been more clearly and certainly traced.

The subject upon which we are now about to enter, it will be conceded, is one of transcendent importance, and because thus important, we ask the candid attention of our readers to the evidence and arguments we may have occasion to adduce in relation to it.

12. Of those institutions which have

their origin and growth in human society, that which is of the greatest importance to mankind, is the institution of the Family. This institution is universal. It exists in all countries. Even in those where man is the least civilized, it is found in a rude form. It is a natural and necessary outgrowth from the law of man's being, implanted by the Creator.

13. It is indispensable to the perpetuation of the race,—to man's nurture during the many helpless years of his infancy and childhood,—to his culture and preparation for the duties of his manhood,—to his highest happiness in mature age, and his comfort and enjoyment in the decline of life. In the family circle and within the narrow limits of home is centered all that is most desirable to man in this life. The dear ones gathered there, and who are the life of his life, are more dear to him than all the world beside.

Home. How much is expressed in

this one word. No other word brings to the mind so many delightful memories. The strong and sweet attachments of home never leave us. They cling to us in youth and in age, in prosperity and adversity, at all times and in all climes. Man in his dreams of a future world, can only find happiness there in the society of the loved ones of his household. There is no paradise for him, divested of the fond embraces, the smiles, and the tears even, of those who have made his home here redolent with happiness.

15. A man who has no home has no country, and to be destitute of both is the greatest calamity that can befall him. His home is as essential to him, as the soil to the tree which it nourishes. From twenty-five to thirty years is the average of human existence. As often as this period is repeated, a new generation makes its appearance to take the place of the old. By far the larger portion of

this period is spent, in civilized communities, under the parental roof and guidance, in preparation for life's duties.

16. It is from their homes that men derive most of the moral sustenance which invigorates and keeps pure the current of human life. The family institution is the great nursery of virtue. If moral purity is to be found any where, it is within the sacred precincts of the family. It springs spontaneously and naturally from the family hearth. Every well-ordered home is a temple to virtue. The relation of husband and wife, of parent and child, of brothers and sisters, serves to create, within the charmed circle of home, an atmosphere whose moral purity is elsewhere unapproached.

17. To the influence of Christianity in promoting the sanctity of the family hearth, and giving to the nuptial bond that sacredness of character which distinguishes it from all other ties, is trace-

able to a very great degree the benefits it has conferred upon the race.

18. The family institution is to mankind what the vital organs are to the animal body. Abolish it, and man becomes like the beasts that perish. Take from the social system this source of life and power, and the wheels of civilization will be sent whirling rapidly backward to a state of barbarism.

It is of all institutions, next to the Christian Church, from which it is inseparable, the one which most concerns mankind. Upon its maintenance and perfection depends the future well-being of the race. All systems and schemes for man's improvement, which do not recognize this truth, are founded in error; are devoid of an element essential to success.

19. In every system of civil polity, therefore, the family institution should hold the most prominent place. All legislation should have for its principal ob-

ject to protect and to improve it. It is the grand test and proof of the right or wrong of most public measures, and all measures which are inimical or unfriendly to it should be rejected as unworthy of countenance and support. By keeping this truth in view, very much that would otherwise be dark or obscure in public polity, will be made light and clear.

20. Because of its paramount importance, the duty of men, in respect to it, is plain. No proper means or efforts should be spared to cherish and improve it, and those who have the power, who possess the wealth, and control the labor of a country, should endeavor so to shape the industrial pursuits of the people, as that it will not be injuriously interfered with.

21. Those who have undertaken the responsibilities which devolve upon the heads of families, should receive especial encouragement and aid, to enable them

properly to fulfill the duties of the relation they have assumed. This is a first and most important step to lift men and women from the mire and degradation of ignorance and vice. The philanthropists and public benefactors of our land should understand clearly this truth. It will enlighten and guide them in their labors, and in their charities.

22. *The number and character of the homes of a people, is the true, and the only true, measure of their civilization,*— and they should not be homes of comfort merely, where the bodily wants are alone satisfied, but homes, where the nobler qualities of man's nature are cultivated, strengthened, and cherished,—homes which blossom and are fragrant with the refinements of life, and the heart's best affections.

23. Will it be asked, after what has been said, what it is that most concerns man in this life? What it is that most

demands his attention, his fostering care, his support? What, when he joins with his fellows, to establish rules for mutual protection and benefit, he is most anxious to secure and to protect?

24. But one intelligent and true answer can be given to these inquiries, and that answer is,—That *the family institution is the great center about which every true system of civil polity should be made to revolve;* and any system not thus centered and founded must be unsound,—must contain elements of weakness and decay.

25. The number of well ordered and happy homes being the true measure of the civilization of a people, the conclusion is unavoidable, that *the multiplication of their number and improvement of their character is the grand end and aim of civil government.*

26. It is indeed the especial duty of all, however situated, to co-operate each to the extent of his means and ability in the

great work of securing to every family a suitable home of its own, where the marital relations may be duly cherished, where children can be properly nurtured, and trained, and educated, and qualified, as far as is possible, under the family roof, for the proper performance of their duties in life.

27. The family institution is the great institution of humanity. As this is perfect or imperfect, so is the social and political fabric of a community or country, and hence regard for its well being is among the first and highest duties of man.

28. This great truth the Almighty has not been content to leave to the slow perception of man's reason.

Three of the commandments of the Decalogue announce it in the most emphatic manner, and the inspired record from the beginning of the Old to the end of the New Testament is full of instruction and of advice in regard to it, and of

warning and threatenings against those who do violence to it.

29. Neglect of its peculiar claims and disregard of its sacred character has been the sin and the opprobrium of every people and of every organized community, from the earliest period to the present time, a neglect to which may be clearly traceable as a principal cause, the downfall of every nation that has risen, flourished for a season, and declined.

30. In our own country, more perhaps than in any other known to history, its importance and sacredness is conceded. The more equal distribution of property and a higher standard of intelligence under our free institutions, and the more just reward ensured to industry, has multiplied among us to a greater degree than has been known in any other nation, the number of well ordered and comfortable and happy homes; but notwithstanding all this, we are as a people still sadly deficient in the requisite knowledge and in the

practical exemplification of our duties in regard to this most important institution.

31. It follows very clearly, it is believed, from the above premises, that society, to secure what is imperatively demanded for its highest wellbeing, must, as far as practicable, consistent with the rights of individuals, direct its powers to the multiplication of the number of comfortable and happy homes.

32. The conclusion is, also, irresistible, that this great object can only be surely effected by placing the civil government of the country under the direction and control of those whose interests are directly and most deeply involved, and whose efforts will therefore be the most reliable and effective towards its accomplishment, namely, by giving that control mainly or wholly to the heads of families.

33. The Creator in the relation of parent and child, has obviously placed the governing power with the former, and in

the relation of husband and wife, has given it to the husband. That this power may be justly and humanely exercised, he has implanted in the mind and heart of man a sense of justice, and of benevolence, a love of offspring, and the love of the sexes. These truths are so palpable that it is only necessary to state them to command for them a general assent. They are not only obvious to our reason and understanding, but they are fully confirmed, and in the most explicit language in the divine record.

34. It follows from these premises that the male heads of families are, *by natural law and the revealed will of God, the proper governing power in society*, and that *the state or body politic is properly, not an union of individuals, but of a number of families, united and acting together for their mutual good.* Families thus united require rules for the management of their joint affairs, and to regulate their relations to each other, and they require,

also, agents to give practical effect to the rules thus established. In the formation of these rules and in the appointment of their agents each family is properly represented by its governing head.

35. To those who may be inclined to dissent from these views we would respectfully address the following queries:

Where can the power in question be more safely and properly lodged for the best good of all concerned? Where for the true interests and welfare of the female portion of the population, who comprise full one-half of the entire population in all countries, and of that portion of the male sex who constitute one-fourth of the whole still under parental guidance? and who so competent to determine when the latter shall have attained the proper age for leaving that guidance, and assuming the responsibility of self-support, and the ownership and control of property? Where among those who possess the phys-

ical power essential to the support and maintenance of government, and whose social or domestic duties do nót interfere with its exercise, can the franchise be more properly placed? and where, for the best good of society, can the power, which shall determine who, among those who are otherwise qualified, are morally or intellectually fit or unfit to exercise the powers and privileges of electors, be more safely placed?

36. There can be but one answer to these questions. If the females and children and others named could give such a response to them as their best judgments and feelings would dictate, they would reply with one voice, *the heads of families.*

37. Here, perhaps, it may be well to show, from authentic data, how very large a space in the social economy of the world is filled by the family interest. Government returns in our own country furnish us with the fact, that the population of the country, in its natural or normal con-

dition, is composed of children or minors

Under 21 years about	53	per cent.
Male heads of families about	16	"
Wives and female dependents in families of adult age about	21	"
Male dependents in families of adult age say	2	"
Total, - -	92	"

38. More than nine-tenths, therefore, of the entire population are under paternal or family rule and protection, relying almost solely upon the heads of families for support. Of the remainder, after deducting persons not naturalized, females, &c., not more than five to six per cent are qualified electors under the most liberal system of suffrage adopted in the free states. These latter have no family responsibilities, are mostly without fixed habitations, and have very little property interest to bind them to the maintenance of right and stable government.

They have, however, under the so-called rule of universal suffrage, the same or equal powers politically as the same number of heads of families. This is unjust and unfavorable to the best interests of society. An evil, proved to be such by experience, and of so serious a character as to demand attention and correction.

39. The civil government of a country has a variety of functions to perform, one of the most prominent of which is the protection of persons in their right to property. Divest men of property and their persons will seldom be exposed to injury.

40. In every community it is found that the ownership of property is principally confined to the heads of families.

They contribute most of the means for the support of government. They are, as a class, the most industrious and the most frugal, the most exemplary in their conduct, and have the strongest interest in the maintenance of good government.

They are therefore the most reliable and trustworthy, and are entitled, by every consideration of right and justice, to the privilege of framing and regulating the civil institutions of society.

41. In many states of the Union a knowledge of the rudiments of education, so far as to be able to read and write, is made a condition for the exercise of the privilege of an elector, but this qualification possesses but little value as a guaranty for a right and stable government, compared with the responsibility which attaches to a husband or a parent.

42. The view now being taken of this subject places the heads of families in the position of a privileged class in society. They are in truth such, being especially honored and endowed with the political power of the nation from the source of all power. The inspired record is not wholly silent upon the subject. The commandment (and it is the only one with promise)

to "Honor thy father and thy mother that thy days may be long in the land which the Lord thy God giveth thee," may be considered to have a peculiar significance in relation to this question of civil government. We fail to honor our parents in a most important particular when we neglect to support the government they have been instrumental in erecting or preserving and maintaining for their and our benefit.

43. If this duty is faithfully performed and all filial obligations duly observed, the days of the nation are multiplied, and the wellbeing of all under its protection promoted in the highest degree. The promise, therefore, while it is obviously not that of a long life to a good son, is an assurance of a long national life to that people which shall properly cherish and sustain and give due honor and respect to the family institution.

44. The elective franchise, as it is

termed, both by natural and by divine right, (using the latter expression in the sense of a special manifestation of God's will,) and by all those considerations which point most strongly to the best good and welfare of the race, rests with the heads of families. Upon the latter is devolved the right and the duty of originating and maintaining the government of the country, a duty especially delegated and confided to them, and from which they can not shrink without incurring the displeasure of heaven. It is in their power by right, and numerically, to control the franchise, and upon no consideration should they part with it, or abandon its exercise.

45. A government thus established, regulated and restricted, will, it is believed, be found the most perfect possible. It excludes, from participation in its functions, all who are thus excluded in the government of the family, namely, the females and children or minors. It ex-

cludes all of the male sex of mature age who are unfit, from moral considerations and other causes, to exercise power over others, and includes those only who are most deeply interested in multiplying the number of comfortable homes, the most important of human institutions. Institutions which, it has been shown, it is the first object and duty of all to sustain and make as perfect as possible, and universal, because within them are centered all that is of most worth and most highly prized by mankind.

46. Let it not be said that the importance of woman is ignored in the system here presented. In the government of the family, the wife, in the presence of her husband, is subordinate. In the civil government of the country woman takes no part, but she has duties to perform not less important than those performed by man.

47. The training of the young, their

care and nurture during that period of life when the mind and the heart are the most susceptible, and receive, most readily, impressions made upon them for good or for evil, devolves mainly upon woman. Under her fostering care the tender years of infancy are passed. In childhood, and in youth, her influence and guidance insures the right development to the precious soul just unfolding to the light and the life of heaven, and her love and tender solicitude, for those dear to her, make her man's truest friend and his good angel to brighten his pathway in the pilgrimage of life.

48. Upon man more especially devolves the duty of all physical effort. To him is committed mainly, the duty of providing sustenance, and whatever is needful to satisfy the bodily wants and to promote the health and comfort of the family, and protect its feeble members from personal injury.

49. Woman's influence in her appropriate sphere, is, if there is any difference, less limited; for while it strews the pathway of life with light and blessings, it reaches into the future, stretching onward through the eternal years of God. The souls of men receive, in the tender years of childhood, their first and best preparation for the life to come, at the hands and under the affectionate teachings of gentle woman. In this view, can it be doubted that woman's agency in advancing the great interests of humanity is, within her proper sphere, of equal importance to that of man?

50. A little reflection will show that a government constituted as here described will not lack the power needful for its maintenance, for power a government must have, and that ample for all exigencies. To extend the franchise beyond the limit proposed, would weaken the political structure. Not all who are

heads of families, even, are fit to be entrusted with so great a privilege, and such as are not, should be excluded. The power of self-purification, to be exercised by the majority, belongs to all organizations. Moral worth and intelligence should be the sole qualifications. Property or lineage without these do but serve to increase the power for mischief of their possessors.

51. It may be remarked here that the conclusion to which we have arrived as to where the divine right to institute civil government legitimately rests gives to the institution of marriage an importance and sacredness of character which renders it more than a merely civil contract. Man when he enters this state is endowed with powers by his Creator and he assumes responsibilities which place him upon a plane of existence separate and apart and more elevated than that occupied by his fellows. These respon-

bilities are of such a nature, that, to a mind rightly constituted, they will not be assumed without due reflection and consideration as to the fitness and ability of the individual properly to do and perform all that the relation of husband and wife and parent enjoins. This new relation, involving, as it does, the life of the race, and its moral and physical and intellectual wellbeing, is entitled to, and should receive, all the support from whatever source, which will in anywise contribute to make it a greater blessing to humanity, and if this is more surely effected by uniting the sanctions of the church with the civil power, which probably few will be disposed to doubt, such sanction should not be withheld on the one side or declined on the other.

52. It is perhaps worthy of note in this connection that the first of the series of miracles designed by the Saviour to illustrate his divine character was performed

in Cana of Galilee, at a marriage to which himself and desciples were invited. His views of the peculiarly sacred character of the institution are set forth with remarkable clearness in his sermon on the Mount.

53. Before leaving this portion of our subject it may not be amiss to repeat as briefly as possible, the views we have endeavored to present.

That the right, the divine right, to institute government is to be found somewhere in society, can not, reasonably, be doubted. So important a provision for the wellbeing of mankind, it is certainly, not reasonable to suppose, has been overlooked. He who "made a law for the rain," and "gave his decree to the seas that the waters should not pass his commandment," who has given laws for the ordering of such little communities, as the ant and the bee, could not surely

have overlooked the requirements of human society.

54. Civil government is a necessity to mankind, and it is required, mainly, and almost solely, for the protection and benefit of families, for the protection of the family interest, which is the paramount interest in society.

55. Government when thus established and administered by the heads of families, is the best government even for those who have no voice in its formation. It is the best government for the females and the children, and all others, who do not participate in its organization, or in its administration.

56. Reason, natural law, and the inspired record, all concur in making the male head of a family its proper and rightful governor. His will is supreme, or nearly so, in the household, and he is its only duly authorized and qualified representative when the family unites

with others to adopt measures for mutual protection and benefit, measures which constitute the civil government by which their joint affairs and common concerns, and relations to each other, are afterwards to be regulated and controlled.

57. Civil government is a natural outgrowth from, or development of, the family institution and bears to it as close a relation, as that of the fruit or the flower to the parent stem. To organize government differently, is to disregard the superior claims of the family interest, and defeat the main purpose for which government is instituted.

58. The conclusion is, therefore, not only, just, but unavoidable, *that the power or right to institute civil government, rests with the heads of families, by divine appointment.*

59. Political writers when they transferred this right from the hands of kings to the people indiscriminately, went from

one extreme to another equally erroneous, and there the most of them have remained to the present time, being so occupied apparently with the consideration of the rights of individuals, overlooking their obligations, as not to perceive the superior and paramount claims to consideration of the family interest in the institution of civil government.

60. The doctrine of the divine right of the people in mass, without distinction of sex or age, and such is the doctrine of most modern writers from John Locke downward, is as great a fallacy, nearly, as the doctrine of the divine right of kings.

61. The power to originate or institute government, and the duty to exercise it, rests clearly and logically with the heads of families. *Vox patriæ vox Dei.* This being conceded, most of the anomalies and difficulties and inconsistencies which have hitherto surrounded the subject of

civil government, and puzzled and embarrassed the best minds, immediately disappear. All those difficult questions which have given rise to so much controversy; the relation of the individual to society; the political rights of females; the majority question as applied to children, and public provision for their education; the right of government to compel abstinence from servile labor upon certain days; the right of revolution; the right to abate such nuisances as mormonism and communism or socialism in their objectionable forms, and other questions of a similar character receive a clear and satisfactory solution.

62. The system of civil government thus developed becomes one of consistency and beauty. The more it is contemplated the more will the light be observed to flow in upon it from all directions. As with every right or true theory the mind, in its contemplation, mee-

only with the harmonies, which are ever found in the pathway of truth.

63. A knowledge of the true character of civil government is of equal importance with a knowledge of the source from whence it rightfully emanates. It is to regulate man's social relations, and protect him from the selfishness and injustice of others, to enable him correctly to define and enjoy, unmolested, his right to property, and to proper freedom of thought and action, and, by combined effort, to promote in a higher degree his own improvement and the general good, that civil governments are instituted, and laws enacted.

64. Civil governments may be said to have heretofore principally originated from the usurpation of a few, or by the tacit assent of the many to a government established by a few. Except in the case of our own institutions, the consent and operation of the governed has hitherto

had very little to do in the organization of civil government.

65. Civil government, it is apparent, is a necessity of man's nature. Society demands it as essential to his wellbeing, to the development of his powers, and to the proper and beneficial exercise of the faculties which his Creator has given him. It can not be dispensed with, and admits of no substitute.

66. In this light it becomes, clearly, an institution in accordance with the order and will of Providence, however it may be established, and hence is a *divine institution.*

67. It possesses more emphatically this divine character, if established in accordance with the great principles of justice, with natural law, and the revealed will of God. If it has for its chief corner stone, and foundation, the consent of the majority of those qualified to act [illegible] those whose especial duty it is [illegible]

lish and sustain it. When thus established, it possesses a sacredness of character, and claim upon the respect and obedience of man, to which other mere human institutions can present no claim.

68. There is so much of human happiness involved in the maintenance, undisturbed, of civil government, that its powers should not be questioned, or resisted, except in the most extreme and aggravated cases.

When, indeed, the labor of a country, or of a people, has become so far classified as to create a mutual dependence and reliance of the several classes upon each other for the means of subsistence, and for the comforts of life, those who may be instrumental in plunging such a country into a state of war, of intestine war, which is war in its most terrible form, are many times more criminal than if they committed the act in a condition society less advanced.

Peace, and the arts of peace, when those arts have come to be essential to human life, can not be ruthlessly disturbed or destroyed without incurring guilt of the deepest dye.

69. *Physical resistance to the behests of a government can not, under its worst forms of organization, be justified, until it is clearly shown that the evils flowing from obedience are greatly in excess of those likely to be consequent on resistance.*

70. Under a government properly constituted by those who possess the divine right, where the power to make a peaceful change remains with those who are its rightful primary depositaries, *forcible resistance, or revolution, can not, under any circumstances, be justified.*

71. It is in this view that Christianity enjoins submission and obedience to the powers that be.

"Submit yourselves to every ord

of man for the Lord's sake; whether it be to the king as supreme, or unto governors, as unto them who are sent by him for the punishment of evil-doers and for the praise of them that do well: for so is the will of God." (1 Pet., 2: 13–15.)

"Fear God, honor the king." (1 Pet., 2: 17.)

"By me kings reign and princes decree justice." (Prov., 8: 15.)

"The powers that be are ordained of God." (Rom., 13: 1.)

"Whosoever therefore resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation." (Rom., 13: 2.)

"The Lord knoweth how * * * to reserve the unjust to the day of judgment to be punished, but chiefly them * * * that despise government, * * * and are not afraid to speak evil of dignities." (2 Pet., 2: 9, 10.)

"Put them in mind to be subject to principalities and powers, to obey magis-

trates, to be ready for every good work." (Paul to Titus, 3 : 1.)

72. It is reasonable to suppose that the powers given to man are intended to be exercised. Without society his highest powers and best faculties have no exercise, no development. Society requires rules for its regulation. Civil government, we repeat, is a necessity to mankind, and being such, is a part, and very important part, of the plan of Providence.

It is, in this view, God's handmaid. Its acts are manifestations of His will. It is the instrument and the means of His special providence,—the mode in which He chooses to make known His will in respect to the affairs and actions of men, not to be opposed or resisted, but, if wrong or unjust in any particular, as it may be, since man is the humble instrument by which it is effected, those who suffer must wait patiently the time when

what is wrong or unjust in its operation can be rectified in a legitimate and peaceful way. This is especially the duty of every one under a government rightly constituted. *Under such a government, revolt and rebellion have no excuse. They are crimes of the darkest dye, abhorred of God, angels, and men.*

73. The laws of the land have a sacredness of character not understood by very many whose opportunities for improvement should have given them a clearer insight into the true nature of civil government. But for this ignorance, we should not have witnessed in our halls of legislation, and elsewhere, declarations that its mandates are not binding upon those who may choose to consider them as being in conflict with what they deem to be a still higher law.

74. The truth can not be too deeply impressed upon our minds, that *the civil law, under a just and rightly constituted*

government, is God's law. That its ministers are His ministers. That what the civil law ordains and directs, He ordains and directs; what it forbids, He forbids.

75. What, it may be asked, was the teaching of the Great Master upon the subject? What the meaning of those words of his, "Render unto Cæsar the things that be Cæsar's"? What the full import of the command to "honor thy father and thy mother," as given in the decalogue, and reiterated by Him,—a command in which, as has been seen, is contained the germ of all rightly constituted civil government?

76. His life was an example of submission to the laws of the land. In no one instance did he place himself above them, did he place himself in opposition to them. Although condemned unjustly to a cruel death, he was "obedient to the law." He who could have called "legions of angels to his rescue," suffered "the pow-

ers that be" to take their course, and only manifested his own superior power, after the end of the law had been accomplished, and his lifeless body was laid in the tomb.

77. The sacrifice of Calvary, while it was expiatory of the sins of our race, teaches, in the most impressive manner, the duty of obedience to the regularly constituted authorities of the land, and is a rebuke to those who treat the laws of the land with disrespect, or indifference, or who pervert or abuse them, to effect some selfish object, or forcibly resist them.

78. How truly awful in this light becomes the crime of treason and rebellion. Trebly awful in the case of the present great revolt in our country, because, *not perpetrated against the government of the country only, but against humanity, and against God.*

79. The functions of civil government,

simple at first, become more numerous and complicated as man advances in civilization. At first its powers are mainly directed to the protection of the person and whatever is necessary to sustain life, but as civilization advances it has functions to perform of a character adapted to the changed condition of society.

80. Vattel is of opinion that, "if men were always equally wise, just, and equitable, the law of nature would doubtless be sufficient for society,"—thereby implying that, under the circumstances named, there would be no occasion for civil or written laws; and one of our ablest political writers makes the remark that, "if men were angels, no government would be necessary," and asks this question,—"What is government itself, but the greatest of all reflections on human nature?" Government, says another, "is but the badge of man's depravity."

81. These were evidently careless ut-

terances, made without due reflection as to their truth. One glance at our statute books, and the records of our courts, is sufficient to show that our criminal laws occupy but a small portion of the entire code. If mankind were well intentioned morally, with their present limited capacities in other respects, they would still need written rules for their guidance, and these would multiply in proportion to their advance in civilization.

82. Every portion of the universe of God is subject to law. From the highest known movement of the solar system around its far distant and unknown center, to the smallest mote that dances in the sunbeam, His laws, immutable, prevail. They not only pervade the material universe, but they control every manifestation of being, and institutions so important as that of the family, and of civil government, are not exempt.

His laws are traceable, as has been

shown, in the latter, and so plainly, as to command our respect and obedience.

83. It has become man's first and most sacred duty in this age, more enlightened than its predecessors, to see that civil government is organized and established upon the right basis, that it may not as heretofore, under most of its forms, be an obstacle to his advancement to that higher state of civilization to which he is capable of attaining.

84. Whatever is wrong in principle, or incorrect in practice, in our own system, (the most perfect yet adopted,) should be cast aside, and the true substituted instead.

85. We must begin at the foundation, for if there is any thing materially defective in that portion of the edifice, the defect must be remedied or the structure itself will share the fate of its predecessors.

86. We must abandon the fallacy, ad-

vanced by many writers, that "every man, when he enters into society, gives up a part of his natural liberty as the price of so valuable a purchase," and that "society has engaged to provide civil privileges in lieu of the natural liberties given up by individuals."

87. If, by the increase in the number of men, the natural liberty or privileges of each is lessened, there is no giving up or surrender of liberty or right. A man can not give up what he does not possess. The curtailment of man's natural liberty by reason of the claims of others, is no infringement of his rights, and in submitting thereto he is but performing his proper duty as a member of the great family of God. If, in being thus curtailed of liberty, his happiness is promoted by a consequent improvement in his social relations, the one can not be considered as given or received as a consideration for the other, but is only an

evidence of the wisdom and beneficence of God, in so ordering the circumstances in which man may be placed, that the good is sure to predominate.

88. Man's freedom in society is, of necessity, a restricted freedom. Under a just government one individual is no more restricted by the law than another, but each is master of his own conduct, except in those particulars in which the public good demands restraint, and this restraint is imposed alike upon all.

89. We must abandon the fallacy also, that "society is essentially a mutual compact between every individual and all the rest of those who form the society;" that it "originates in a peculiar form of contract entered into between each individual forming it and all the other members of the society on the other part."

Assumptions like these, gravely advanced as truth by our ablest writers, indicate how easily the best min-

astray when the pure light of truth ceases to illumine their path.

90. Civil government being a divine institution, and its enactments the commandments of God, it follows that obedience to them is not the result of any contract, expressed or implied, between the individual and the society or nation to which he belongs. The society or nation in organizing a government are but the instruments of the Almighty. Their work is His work. If imperfectly done, it is still His work. He may hold the instruments responsible for not doing their work properly, but because imperfectly done does not justify disobedience or disrespect to what are His mandates.

91. We must expunge from our books on political science such inconsistencies as are manifest by the declaration in one place that "the laws of society are enacted by God's authority," and in another place, that "there is no obligation

to obey an unrighteous law, as we must obey God at all hazards."

92. We are told that "life is bestowed for the purpose of happiness, and that happiness is man's right, and, having this right, he has also a right to employ the means for its attainment." Every man is entitled to just so much happiness as he can procure without infringing upon the just rights of others. The road to true happiness lies in the direction of justice, in the practice of the virtues, and in the fulfillment of every moral and social duty. But few lives are so miserable as to be marked by a predominance of suffering, either bodily or mental. Under the most adverse treatment of fortune or circumstances, the soul that submits humbly and trustingly, while striving for whatever is true and good, may have an inward joy and hope, more blissful than is permitted to those who are more favored in their worldly condition.

93. Writers upon political and moral science, have much to say upon the subject of man's rights, but however important these may be, they should not have an undue prominence as compared with his obligations. The restriction of man's desires in society is, practically but a limitation of his liberty, not of his rights. It does not follow that because his natural liberty is lessened that his rights are infringed. Rights, properly such, admit of no justifiable restriction.

94. Man's right to life is only a right as against his fellow. Life is the gift of God. Man has no claim upon God for it, or for its continuance. He has a right to it only as against his fellow, and he must not use the gift to the injury of his fellow, or himself, or his fellow rather than himself, and the same may be said of his right to liberty and the pursuit of happiness. It is with the relative rights of men in society, that society has to do,

and which are of importance in arranging rules for the preservation of social order.

95. Rights may be distinguished into those which are natural and those which are conferred by society. The natural rights of man are not necessarily equal as assumed by most writers, but are limited in each individual case by necessity, and the requirements of justice. The natural right of a parent to a larger portion of the means of subsistence, who has children and others depending upon him for support, as compared with the right of one who has no such position of responsibility, can not reasonably be questioned.

96. Distinctions of this character extend also to the civil or political rights of the parties, and society should recognize this difference. The man who has the responsibility of the support of a family and others who are dependent upon hi

has rights or claims surpassing those who have no such responsibility. There are no natural rights which are not made such by the rules of justice, by the rule of a just reciprocity, and all civil or political rights should be adjusted as nearly as practicable in accordance with those rules.

97. For reasons not necessary to be stated, they are not always so adjusted, and where this is manifest to the consciousness of an individual, who is thus clothed with power unduly, he will if he has a discretion, desist from its exercise, but if he should not, and resistance or disobedience follow, the guilt will not attach solely to the injured or resisting party. Man has no moral right knowingly to oppress his brother, even under the protection of the law. The divine law of justice and duty to those who are children with us of the same Father, can not be violated without bringing in some

form, sooner or later, upon the offender, the penalty due to the violation.

98. There is implanted in every living human soul an inward light for its moral guidance, a sense of the claims of justice. It is what is termed the conscience. It is not the faculty which, as many suppose, determines what is right and just, or what is wrong. That is the office of the reason and the understanding; but when the latter have made the distinction, the conscience prompts to the adoption or the pursuit of the right, rather than the wrong. It impels to the fulfillment of every moral duty—to the fulfillment of man's obligations to his fellow man and to his Creator. Like the magnet it acquires power by exercise, and leads man to the source of good. If allowed to lie dormant, or is suppressed, he sinks back into moral darkness, into a condition where his eyes are not blessed, and his

heart never warmed, with the light and the love of heaven.

99. This sense of right, and perception of what is just, are important qualities in those who are entrusted with the discharge of the functions of government, and the utmost care should be observed that those persons only should be selected for public trusts, who are most distinguished for uprightness and wisdom.

100. However perfect or unexceptionable men thus selected may be, it is proper for those who hold the supreme power of the state, to prescribe written rules for their government; rules which shall restrict them to the exercise only of such powers as the electors, who hold the supreme power, do not intend to exercise themselves.

These rules are denominated the *Constitution*, or *the fundamental law*, and no functionary or representative must be

permitted to transcend the limits established by this law.

101. In the organization of civil government reason and experience teach the propriety of a division of its functions into the *legislative*, the *executive*, and the *judicial*, and that these several departments be filled by men who are especially qualified for the honest, the intelligent, and efficient performance of the duties of each.

102. It is not proposed to enter into all of the details of organizing a government, or to point out the proper manner of its administration; but simply to present some views which are important to be understood and regarded, if we expect success in our endeavors to secure the best form of civil government.

103. The heads of families when assembled for the purpose of establishing government, meet upon a footing of equality, and in their action and decis-

ions, the majority principle receives its first application. It is a principle founded in justice, and in its application to civil government should be held sacred and inviolable.

104. It is reasonable to suppose that a majority of the representation, which properly constitutes the government, will possess the power requisite to control the whole, and that such majority will establish only such rules or laws as are for the best good of the whole. *Submission to the majority therefore, is the only mode in which the government of a state can be properly, peaceably, and equitably established, and maintained.*

105. A government to be rightly constituted must be clothed with the power requisite to ensure obedience to its commands. Power, physical power, is an essential element in its constitution, and must be adequate, if the government is to be permanent, for its preservation, for

its protection from the assaults of foes, external and internal, and the enforcement of its behests. This power is found to be possessed in an ample degree by the heads of families. They comprise two-thirds of those who, under the freest system of suffrage yet adopted, are qualified to vote, and their power and influence is even greater than that ratio would indicate.

106. If the families under one government are so numerous as to render it inconvenient or impracticable for the heads of each to meet in council to transact the business of the government, then a system of representation must be resorted to, which shall be just and equitable. This will, of necessity, be the character of most governments; and in their organization and arrangement of the representation, no departure from the strict rules of justice and the sacred obligations of human brotherhood should be permit-

ted. The majority principle should be strictly adhered to. To do violence to it should be deemed an offence of the most serious character, against humanity, and against heaven.

107. Civil government under such a system, and in its most perfect form, implies the division of the entire country, if it be extensive, into states, and subdivisions of these latter into lesser municipalities, each possessing appropriate powers, defined by constitutions and laws, and all deriving their just powers, from the only rightful source, the family representation.

108. In this division and distribution of governmental power, as much of it as can be as well, or nearly as well, exercised by the lesser municipalities should be vested in them. The highest or supreme power, should be charged only with the performance of those functions which the highest power is alone compe-

tent to perform, and should carefully abstain from action or legislation upon subjects which may differently affect the industry of the country, in its several sections, or bear unequally, by reason of differences in climate, or other causes. In defining by constitutions the powers of each division, it is not difficult to fix a limit to those of the lesser divisions, upward, while it is very difficult to define the limit to the highest power in the opposite direction, and hence, much must be left to the good sense, the sound judgment, and patriotism of those who occupy the higher places of power.

109. Under such an organization of government, the greater and lesser powers moving each within their appropriate spheres, man's rights are protected, and his interests and welfare promoted in the highest possible degree, and he is, so far as civil government is concerned, prepared, in the best manner, to move for-

ward and upward, to the attainment of the highest civilization of which his nature is capable.

110. As government, viewed in its true light, has the character of a special Providence, it should, in its operation, be equally just to all under its protection.

All partial legislation should be carefully avoided. Laws should be uniform in their operation, general in their character, as few in number, and as clear, and concise in their language, as possible. Changes in the law should be made with the greatest caution, and only after full deliberation. If the change is of such a character as to affect materially the industry of a people, ample time should be given for their industry to adapt itself to the change.

111. Time is an important element in the varying phenomena of nature, and is not the less important in the affairs of society. If the change from summer's

heat to winter's cold, and the reverse, were sudden and unexpected, the life of man, if life were possible under such circumstances, would be most miserable. In the order of nature this change, great as it is, is a source of enjoyment. Nature in this respect teaches an important lesson. A lesson which our impatient reformers are slow to comprehend. Men of this latter character, and many such there are in every community, would, if they had the power, snatch the reins from the hands of the Great Ruler, so dissatisfied are they with the slow moving of the wheels of the Universe. In a government the supreme power of which is constituted in accordance with natural law, changes demanded by the general good are more certain to be made, and in the best manner.

112. The advance of a people in civilization is at first slow, at times showing no sensible change, and often the move-

ment is retrograde, or apparently so. The first great achievement in this onward movement is a written language. This is followed by separate and properly defined ownerships in land, and erection of dwellings; by written laws and establishment of courts of justice; by provisions for the education of children, the building of roads and canals, and the use of vehicles for the exchange of commodities, upon the land and upon the sea. The adoption of a currency to facilitate exchanges, the rapid transmission and diffusion of intelligence, and so on step by step, through all the gradations to the highest yet reached by the most civilized of the nations, or which may yet be reached, while time shall last.

113. These changes tend to elevate a people in the scale of being just in proportion as they contribute to multiply the number and elevate the character of the homes of that people. This is the only

true standard, and, when compared with it, our own country, which is just beginning, as it were, the great race, has distanced completely the most civilized of the nations of the present day, and the brightest of those which illuminate the history of the past.

114. Among the more recent of the means adopted for multiplying the comforts and contributing to the wellbeing of a people, and rendering their labor most effective, is the division or classification of labor. One of the greatest improvements in this direction is the creation of corporations to accomplish what is beyond the capabilities of individual effort to attain.

115. A most powerful means of stimulating and rendering effective the industry of a country is the system of gathering up and placing in the hands of skillful and experienced agents the surplus wealth of individuals to be loaned to those who will put it to immediate use in some enter-

prise of importance, or invested in public improvements for the general good. It is thus that banks of discount and for savings are established, and companies formed for manufacturing and mining and other purposes.

116. These associations are clothed by the laws of the land with certain powers defined in their respective charters or in general laws enacted for the purpose, and they perform an important part in connection with the industry of the country.

They bring into active use a large amount of capital which, in private hands, would lie dormant, or be applied to less useful purposes, and direct it to enterprises of great public benefit, enterprises which, from the magnitude of the capital they require, and the degree of uncertainty as to their success, would not otherwise be attempted.

117. That class of corporations instituted for the purpose of affording insurance

upon property or life are especially to be encouraged. When properly organized they mark the advance of society in the right direction. Through their instrumentality the unfortunate are relieved, and more certainly than by the voluntary contributions of individuals.

118. To render these institutions the most useful they should be established, as far as practicable, upon the mutual plan, the insured paying no more than is requisite to meet losses and the expenses of an economic management.

119. It may, it is believed, be said of corporations generally, that the capital they control is, if any thing, less liable to be misused, or used to the public detriment, than if held by individuals. It is far more difficult for a corporation to conceal its true condition than for an individual, and the concealment of assets, so often successfully effected by unprincipled defaulters, is next to impossible.

120. Corporations are indispensable in the present advanced condition of society. They are an important step forward in the march of civilization. Being of necessity managed by agents, a high standard of moral worth is demanded of those who are selected for such trusts.

If such institutions as now organized fail to perform their functions properly, the shareholders, and not the public, are often the greatest sufferers; and it is a subject worthy of inquiry whether our legislators have not overlooked this fact, and in the desire to furnish safeguards to the public have unjustifiably neglected the interests and claims of shareholders.

121. The government of a country, if rightly constituted and administered, will impose such reasonable restrictions upon the conduct of men as will serve to prevent injustice and oppression in their dealings with each other.

To this end the regulation of the rate

of usance for money is one of the powers exercised, and justly so, by government.

122. The position taken by some that compensation for the use of money or other property is wrong is not tenable. It becomes wrong when advantage is taken of the misfortunes and weakness of others; but when the borrower is benefited, as he is presumed to be, and undoubtedly is, in the majority of cases, there is no good reason why the lender, after being compensated for trouble, and risk, and depreciation, and taxes, and other injury, should not share in the benefit. If the lender while benefiting others, reaps a liberal reward, the question is not as to his right to do so, but the important question for him to solve is, how much of his lawful gains it is his duty to bestow in charity upon the needy.

The limitation of the rate of usance by government, although often successfully disregarded by ingenious and unprincipled

seekers for gain, has nevertheless a salutary effect in preventing extortion and oppression.

123. Under our present system the rate of usance or interest is regulated by the state authorities, each state establishing the rate within its own limits. So widespread and diversified, in soil and climate, as are the United States, and differing as they do in population and other circumstances, the surplus capital in each also, widely differs, indicating the propriety of adapting the rate of usance for money to the necessities of each.

124. In regard to the mode of securing the return of money when due, a uniform system is desirable in all the states—a system not now enjoyed, and which can only be obtained through the instrumentality of the general government.

125. As already stated, the teachings of history are conclusive as to the propriety of entrusting to different persons the legis-

lative, judicial and executive functions of government. These departments should be distinct and independent of each other, while, at the same time, they should each exercise upon the others a just restraining influence. In the organization of government it is not to be presumed that those honored and selected to administer it will possess all the wisdom or the virtue requisite to the proper discharge of their duties. Hence the necessity for the restraint referred to, and the necessity also of a provision for a forcible removal when a trust is grossly abused.

126. The proper corrective for unconstitutional legislation is to be found, mainly, in the judiciary, the tribunals of which should be so constituted in the number, character, and age of their members, as to place them, as far as possible, beyond the temptations which lure men from the path of virtue.

127. The executive functions, as the

must of necessity be confided to a supreme head for the time being, should be so arranged as to give to the legislative branch and to the judiciary the means of correcting any tendency to use power improperly.

128. Legislative bodies are often careless, and in times of excitement do, what in more sober moods, they would not do. The evil of these excitements will be very greatly lessened by placing the elective franchise where, we have shown, it rightfully belongs.

129. Beyond question the system of double legislative action and the executive veto are salutary checks upon hasty and inconsiderate legislation. It has become a common saying in which there is too much truth, that the world is governed too much. In governments of the republican form excess of legislation is one of the evils especially to be guarded against.

130. Changes even for the better should, in such cases, be gradual.

Festina lentè, or *to make haste slowly*, is a wholesome maxim in affairs of government, and especially is it wholesome in reference to those measures which may affect materially the industry of a people. It is better that the wheels of government stand still than to be moving in a wrong direction, and better to move moderately and cautiously, rather than rapidly, even if the assurance is a reasonable one that the direction is right.

131. Civil government possessing, as it does, the character of an exponent of God's will in respect to the affairs and conduct of men, should, as far as practicable, conform in its general character and manner of its operation, to those other laws of his by which the universe is upheld and governed.

Time is an important element in all the operations of nature. Several decades of centuries are required to mature the stately cedar of California, and the return

of seed-time and of the harvest must await the passage of the earth through its orbit of six hundred millions of miles.

132. The transmission of intelligence, or the regulation of the means by which it is effected, is a proper function of government. So also it is proper for the government to aid, as far as aid is necessary, in providing the means required for the cheap and rapid conveyance of persons and commodities, and in giving to all sections the best means of communication with each other and with the best markets.

133. Works of this description should be accomplished, as far as practicable, through the instrumentality of individual enterprise or of corporations. It is better that government should give its aid to such in some reasonable and proper mode, than to undertake to build and operate them by its agents. Because of the amount of capital required they will in general be undertaken by corporations, in which case

the government may very properly be the owner of a portion of the capital stock, agreeing, if necessary for the purpose of encouragement, to relinquish, for the benefit of the other shareholders, its portion of dividends for a limited period. This it can very properly do in consideration of the general benefit to the people of such works, and their usefulness to the government in time of war and upon other occasions. It is better for government to give its aid to works of internal improvement, as they are called, in this manner, than to enter upon their construction and operation, for it can do neither economically, and it should have as few duties and as little patronage as possible.

134. Whatever the mode adopted, whether by a loan of credit or subscription to stock, care should be taken not to place upon posterity a burden which posterity ought not to bear.

135. In the number, plan, and locatio

of such works, the approval of the government is important, and it may be very proper, also, for the government in particular cases to take and to own the ground upon which they are placed. In respect to the latter, the government must have power, if a reasonable arrangement can not be made with the owner, to take possession, or authorize others to do so, the value or damage to be assessed by competent persons and first paid or tendered to the owner.

136. Individual rights should, in all cases, be respected, but no individual should be allowed to interpose insuperable obstacles to improvements which are to benefit community, nor should such person suffer injury pecuniarily for property forcibly taken for the public use or benefit.

137. It is one of the principal and most important of the functions of government to protect men in their right to property. The constitution gives to Congress power

to establish "uniform laws on the subject of bankruptcies." (Art. 1, Sec. 4.) This is a power to change, summarily, the relation between debtor and creditor, and has been exercised by governments to absolve a debtor from all future legal obligation to pay his debts.

138. It is an important question whether it is wise or just thus to absolve him. The unfortunate should be shielded from oppression, and should not be so prostrated as to be deprived of all means and of all hope of retrieving their condition. While, therefore, the unfortunate debtor is entitled to governmental protection, he should not be so far absolved from his obligations as not to be liable, should future success in business or good fortune enable him to satisfy the just claims of his creditors.

139. To maintain a government means must be provided for its support. These are usually derived from duties upon imports or from taxation. Of these tw

modes of procuring revenue the one first named is attended with the least expense of collection, and as it stimulates, for the time being at least, the industry of the country, by rendering competition from abroad in certain articles less formidable, is resorted to by most civilized nations.

140. Beyond question direct taxation upon property and incomes is in many respects the most proper mode of sustaining a government, because the most equitable, and because the people are thus brought more certainly to a realizing sense of the government expenditures, and hence in a popular government is a check upon and preventive of extravagance.

As the state and municipal governments can not with propriety be allowed to exercise the power of collecting or levying duties upon imposts, they must, unless supplied from the general treasury, adopt the plan of taxation. Other modes, not to be commended, have in some instances in our

country been resorted to for supplying the state treasuries.

141. In the levying of a tax it should be borne in mind that, but for the existence of rights of property, there would be far less occasion or necessity for civil government. Hence property should be mainly the object of taxation, and should, as a general rule, be taxed in proportion to its fair relative cash value and productiveness, but discriminations may with propriety be made, putting heavier duties upon articles of luxury, and none at all where the amount owned or the incomes are extremely limited, and family expenses large.

142. Although as a general rule each individual is, in matters of charity, directly responsible to his Maker for his treatment of the unfortunate, yet this duty is so often neglected or illy performed, that the government is justified in making a discrimination in favor of the poor in its exactions

for support. It is the duty of the government also to provide for the helpless and destitute, and to give a comfortable support from the public treasury to persons of this character, according as their wants and their merits may demand. The aged, the infirm, and the unfortunate, who, in their adversity, swerve not from the path of rectitude and duty, are entitled to a comfortable and respectable support at the hands of their more fortunate fellow-beings. Systematic plans for the relief of the unfortunate are preferable to irregular contributions. They are more likely to afford the relief required at the right time and in the right amount, and they should be so well arranged and so efficient in every community that street begging and extreme suffering from privation should only be known as we read of them in the history of the past.

143. To labor is a necessity and a duty, for by it is obtained the means of bodily

health, and comfort, and support, and whatever is termed property. In the intervals of daily toil men are not to be disturbed, but they are to be protected in the enjoyment of the rest needful for the purpose and for the moral wellbeing of man. If the rest enjoined by the Decalogue is required for man's wellbeing, as but few will doubt, it is the duty of government to enjoin and enforce abstinence from servile labor, and from unhealthy amusements on each seventh day, a duty—happily for mankind—made imperative by the express command of God.

144. If there are, in community, those who are disturbers of the peace, or who are guilty of doing that which is an injury or a nuisance to others, it is the duty of government to compel the offending party to a better course of conduct. Abuses of the family institution, such as are now practiced in a remote portion of our country, it is also the duty of government to

correct. A system so repugnant to reason, so hostile to the best interests of society, and especially destructive to the wellbeing of those who enter life under its influence, should be unhesitatingly suppressed. All who are guilty of doing in any way that which is injurious to the general welfare, or is an infringement upon individual rights, are proper objects for the correcting hand of the government.

145. The government of a country is supreme within its limits. Those who are entrusted with the reins of power for the time being, may err as to what is right and proper to be done, but the power to direct must not be questioned or resisted. The laws of the land are to be as rigidly enforced under a free government as under any other, the only difference consisting in the fact, that in the former case there is a far better guaranty that they will be in accordance with justice and with the best good of the governed, than in the latter.

146. To ensure the due enforcement of the laws, and to be fully and properly prepared to resist aggressions from abroad, all of the male inhabitants of the country of a proper age who are able to bear arms should be liable to military duty—should be enrolled, and organized, and ready when the necessities of the country require, to give to it their support, and at the cost, if need be, of their lives. It is as true now as in the time of Tacitus that "the repose of nations can not be secure without arms."

147. Preparation for war in time of peace was the farewell advice of our nation's great benefactor, the wisdom of which has been fully confirmed by our past experience as a nation; but in giving to the government a strong arm for this purpose, that arm should be so regulated and identified with the great interests of the country that full reliance may at all times be placed upon its loyalty and patriotism.

148. Until the characters of men a-

materially changed, encroachments upon national and individual rights must be anticipated, and the art of defence must be cultivated, and a military force maintained adequate for any exigency that may arise. We must have

"The show of war to keep
The substance of sweet peace."

Preparation for defence is the best safeguard against aggression, and the ability and disposition to effect a prompt suppression of insurrection its surest preventive.

149. It is the duty of the governing power to see that every proper facility is afforded for the right training and education of the youth of the country. The most important part of this training, that part in which the moral character is mainly formed and strengthened to encounter the temptations and trials of life, is effected, during the earlier years of parental guidance, and can only be properly effected in well ordered and pleasant homes.

150 This period is succeeded by another, in which external aid is advantageously employed to perfect our youth in those branches of knowledge which it is the especial business of our higher seminaries of learning to teach.

151. Governmental appropriations for educational institutions should be in proportion to population, and the advantages afforded available to the children of all classes. In this view the course of instruction should be adapted to the necessities of all, and they should be so far under governmental authority as to ensure in each a proper and efficient discipline. For the male members of such institutions, a course of military training, to fit them for all the duties of citizens, is important. This training, under a proper organization, will not interfere with the necessary hours for study, while it affords a wholesome, regular and manly exercise. Under such a system the plan

of manual labor may be beneficially introduced, thus economically combining intellectual and moral and physical culture in a manner to promote in the highest degree mental and bodily vigor and a healthy moral condition of the youth of the country.

152. As society improves and civilization advances, the amount of written or recorded knowledge is increased, and the period of scholarship is necessarily extended. The opportunities for profitable labor have been heretofore so great in our country, that our youth have in too many instances entered the arena of busy, active life, without the knowledge or the qualifications they might have acquired, and which would have fitted them for greater usefulness, and given them greater success in their several callings, and made them better members of society.

153. Education is so vitally essential

to the maintenance of a right government, that the youth of the country should remain long enough under parental control to be able to defray, by their labor, the cost of a proper education, and the responsibility should rest upon parents or guardians to see that the education of their children is properly cared for.

If the age of twenty-one years, the period now fixed in most of the States for entering upon the responsibilities of life, is too limited, as it is likely to be, it is the duty of the governing power to extend that limit.

154. Next in importance to the education of the youth of a country, is the right conduct of the periodical press, and the character of its literature.

A healthy moral condition of society can not obtain where the press is venal and its literature is reeking with sensuality, and blackened by infidelity. It is

the duty of government to keep the moral atmosphere of a country as pure as possible.

155. Offences against right and justice and truth and virtue are proper objects for the attention and the correcting hand of the government. The power to correct evils of this description must not be questioned. It is as essential in the government of a people as in that of a family. Men have less excuse than children for bad conduct, and require a sterner and more decided treatment. Let it not be said that this is giving to government too much power. In a rightly constituted government the security for the proper exercise of its powers is as ample as it is possible to make it. *Under any other form the power and the duty would still exist, without the guaranty for its just exercise which a rightly constituted government affords.*

156. The purity of the elections is of

the highest importance to the maintenance of good government. To this end the vote by ballot should be sacredly preserved and shielded from all possible abuse.

The nominations of candidates for office should also be so regulated, by law, as that none but the most suitable and deserving shall be likely to receive support. In these particulars it is impossible to be too vigilant and careful. The civil government of a country should be placed entirely beyond the reach of those who may be disposed to pervert or abuse its powers, and it is the especial duty of the heads of families to see that it is so placed.

157. Upon the supreme government of a country devolves, of necessity, the power to make treaties, to declare war, to regulate commerce, to direct and to execute those improvements which are essential to the safe navigation of sea

and lake coasts, and to a certain extent of the larger rivers, and by a prudent forecast to erect and maintain, at proper points, and by modes the most suitable and efficient, defences for the protection of the persons and property of the people from aggression.

158. The incalculable importance of a sound and uniform currency, which shall circulate freely and without depreciation over all portions of a country, renders necessary the agency of the supreme power of the land in the establishment of such a currency. Upon the general government devolves the duty of coining money from the precious metals, regulating its value, and of supplying whatever in the nature of currency is required by the necessities of the country.

159. Occupying, as do the United States, a prominent position among the nations of the earth, and having by reason of the intelligence and enterprise of

our people, commercial relations more or less intimate with all, it follows that the currency of the country must, for general convenience, be of a character acceptable to other nations, or easily converted into that which is acceptable. A currency which can be readily and cheaply converted into gold and silver is therefore of the utmost importance. In a time of peace and confidence, the proportion of coin necessary to meet the wants of trade is very small, not exceeding two to three per cent. of the property valuation of the country. The necessary increase in the circulation in time of war, and unguarded paper issues in time of peace, deranges unavoidably the currents of trade, destroys confidence, and specie takes a value, while the disorder continues, far beyond what it is relatively worth in times of quiet and repose.

160. It is the duty of all, whether occupying places of trust in the goverr

ment, or otherwise, to strive to guard the country from those causes which produce derangement in the currency, and which inflict so much of suffering and evil upon the poorer and industrial classes, upon whom ultimately the burden most heavily falls.

161. It will be understood, from what has been said, that civil government is to be viewed as a Divine institution. That, however formed, it has the Divine sanction. That forcible resistance to it, when properly organized and established, in accordance with natural or divine law, is one of the greatest of crimes. That the power to organize and institute government is vested by divine appointment in the heads of families. That this being clearly understood, as it must be, before the blessing of the best government can be enjoyed, those who are heads of families will be held accountable if they neglect to perform the solemn duties imposed

upon them,—duties assumed by them, when at God's altar, or in any other less suitable mode, they vowed to sustain in a proper manner the marital relation, and to do and perform before high heaven all which that relation enjoins.

162. In entering upon this new relation, they become pledged to assist and to co-operate with each other, to secure, by the agency of a right government, the protection especially needed for promoting the best good of their families, for securing their moral and intellectual improvement, and giving to them those opportunities and advantages which will conduce most to the wellbeing of society.

163. They are bound by every obligation of duty to their Creator, to their families, and to their fellow-men, to firmly maintain, within their own grasp, the political power of the country. No preference for measures of state, or for

creeds in religion, should be allowed to interpose and prevent their acting as one great united body in holding the control of the government. They must consider themselves especially and solely responsible for the good organization and administration of government. They may, and will doubtless, differ among themselves as to measures, as to the proper mode of performing their duties, but all such differences must be settled upon the majority principle, a principle which must be held inviolably sacred.

164. In a government thus founded and organized, there can be no justification for revolution. If our government possessed this character, our standard works upon ethics and commentaries upon the laws of the land would not be stained with exceptional cases, where resistance to government or resort to the bloody hand of revolution is not only not considered as a crime, but may be

meritorious and patriotic, and an act to be commended.

165. The consciences of visionary reformers and disturbers of the public quiet could have no such high authority to rest upon, and to encourage them in resistance to the laws and in efforts forcibly to change the ruling power of the nation. They would be deprived of all pretext for revolution, and their offence, if persisted in, would become a naked assault upon the rights, the liberties, and best interests of the people,—an act like that of piracy or murder, deserving the severest rebuke and punishment.

166. The doctrine that submission to government is to be placed upon the dangerous ground of "public expediency," would not be inculcated in our highest seminaries of learning, neither would our youth be taught that "it may be as much a duty at one time to resist government, as at another to obey it,"—

that "the lawfulness of resistance, or the lawfulness of revolt, does not depend alone upon the grievance which is sustained or feared, but also upon the probable expense and event of the contest,"—a doctrine which ignores all obligations of justice, and makes no discrimination between might and right.

167. The co-operation required by the married state, and the responsibilities attaching to it, must be considered as paramount.

To the family interest all other considerations must be subservient. The heads of families can not neglect the responsibilities resting upon them and stand blameless before God.

Those, whom heaven has blessed with offspring, will be held accountable for their proper nurture and training,—will be held accountable, that all which parental duty and affection and judgment can effect is done for their wellbeing. That

all proper means have been adopted to render them worthy and useful members of society, and more capable than their parents, having better opportunities, and working in a less difficult field, to still further elevate and improve those who may succeed them.

168. The importance of family co-operation must be clearly understood before society can receive the benefit it is sure to confer. All who are in positions of influence,—the Church, our seminaries of learning, the learned professions, the host of able men who are itinerating the country, and by their eloquence and learning are elevating the public mind and heart to a higher plane of knowledge, and clearer convictions of duty, must make it the frequent theme of discourse, and lose no favorable opportunity for inculcating the importance of attention to it. If we mean to become a wiser, a better, and a happier people, the family i

terest must be allowed the precedence, must receive our first attention, to be followed by other interests of importance, in the order of their importance.

If to every family can be given that which each needs for the full and proper development of the powers, moral and intellectual of its members, the desired improvement in society and happiness of all will follow, as surely as vegetable growth follows the rain drops and the sunlight.

169. Sufficient, it is believed, has been said to convey a very clear idea of what is probably the best form of civil government. That it is an expansion or development, as it were, of the family institution. The conclusion is, indeed, one not easily to be avoided, that *all true government of and by intelligent beings, from the Godhead down is paternal in character.*

How near we of the United States

have approached to the better system, will be attempted to be shown in another place.

170. In every undertaking it is important to know precisely what it is that is proposed to be accomplished.

Intelligent effort supposes the object aimed at to be clearly understood. This is essential to ultimate success. The value of a good government can not be over-estimated. The evil of a bad one, although often experienced in the world's history, can not easily be described.

Never, since the first attempt to form a system of civil government, has there been a time when the circumstances were so favorable for its establishment, on a right basis, as the present; and never were a people so well prepared as those of the United States by education and by opportunities for improvement, moral and intellectual, to uphold and perpetuate a right government when established

171. Since the day of our separation from, and independence of, European and Eastern institutions and customs, we have made a most wonderful progress in the theory and in the practical exemplification of the best form of government, but it will be seen by the comparison to be made in a future number in connection with what has already been said, that we are still in the valley and the shadow of experiment, still distant from the summit and sunlight of perfection. It will be seen that the arid sands of the desert and the waters which flow into the Dead Sea of selfishness, of prejudice and ignorance, still reflect the rays of a burning sun between us and the promised land of rest and quiet,—that glorious rest and quiet which is possible even in this world under a government heaven-born and sustained by a people who, comprehending their duty, have the moral qualities necessary to its performance.

172. Life and motion and change are every where active. The present has no parallel in the past, and will have none in the future. The great current of existence moves unceasingly forward, not equably but still forward. It has its accellerations and retardations, now advancing with varying strides, and now seemingly retrograde or stationary.

We are, as a nation, floating onward with this great current, and the future must unfold to us whether we have the ability to shun the obstructions, and escape the dangers of the channel in which we seem now to be drifting. If we have this ability we may, in time, reach the consummation of the best government, with all of the blessings it is sure to confer. If we have not, the future will bring its clouds and storms, and may find us a hopeless wreck in the whirlpool of anarchy, or leave us in the iron grasp o a monarchy or a despotism.

NO. 2.

THE GOVERNMENT OF THE UNITED STATES.

"The basis of our political system is the right of the people to make and alter their constitution of government; *but the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all.*"—WASHINGTON'S FAREWELL ADDRESS.

1. WE gave in a former number an exposition of the character of civil government, and presented some considerations that should govern in its constitution, and in its administration.

2. It was shown that civil government is as necessary to man as the sun that warms and vivifies, and the earth which gives him nourishment and rest and shelter upon its bosom;—that it is essential, absolutely so, to the full development of his natural powers, and to his happiness

and wellbeing, and is thus a part, and a most important part, of the plan of Providence, ordained from the beginning, and hence is, in the strictest sense, a *divine* institution.

3. It has a character, in this respect so plainly marked, and so unequivocal, that its mandates, or the laws enacted by it, are as sacredly binding as if promulgated from the source of all power, in the most direct and positive manner.

4. The Almighty could not announce to us in plainer terms than he has done, that obedience to the laws of the land is obedience to his will. It is made known to us through our reason, through those faculties by which we are enabled to comprehend his laws, and in the record made by hands which he has inspired.

5. He gives us clearly to understand that the laws of the land are not unlike those other laws of his for the regulation of his universe, and that obedience to

them is a duty, and this obedience must be rendered without regard to our estimate of their character, whether they be right or wrong.

6. That they may be sometimes wrong is possible, and even probable, for man when acting with the best intentions is liable to err; less liable, however, if he acts under a proper sense of his responsibility as God's agent, which he truly is, when fulfilling the duties of a legislator, however elected or elevated to so important an office.

7. Under a government rightly constituted, resistance to the laws of the land becomes in this view one of the greatest of crimes. Under other forms, it is also a crime of a very dark character, and can only be justified, if justified at all, on the ground, which must be clearly demonstrated, that the evil of resistance is less than that of obedience.

8. Resistance to the regularly consti-

tuted authorities of the land is a crime, if possible, of a deeper dye in proportion as civilization advances, because deranging to a greater extent the industry of a country, and destructive in a higher degree of those beneficent efforts for man's improvement and welfare, which are the offspring of a state of peace and quiet. In a rude condition of society, the mischief produced by forcible attempts at revolution is comparatively slight; but when society has advanced to that degree which creates a necessity for a division of the labor of a country, and the investment of its capital in works of magnitude, and of great public utility, the mischief is incalculably great; and if it be a free government, receiving a willing support from the majority of the governed, forcible resistance to it becomes a great and terrible crime, *a crime for which there is no justification.*

9. In the paper alluded to, it was

demonstrated, as is believed, that the family institution is the true source and basis of civil government;—that the governing power of society rests primarily with the heads of families;—that *the state is properly an assemblage of families, represented each by its governing head.*

10. When the families in a state become so numerous as to render action by their governing heads impracticable, then resort must be had to a system of representation,—that is to say, every two or more families, as the case may be, must select some one to represent them in the government.

The government thus constituted is *a representative government; and this is the true character of all free governments.*

11. The conclusions at which we arrived were sustained by reason, by natural law, and by the inspired record. These give a divine character to civil

government, and point to the family institution as its proper basis.

12. The revealed will of God is, in all respects, consistent with natural rights, and, in most cases, is simply declaratory of those rights,—is declaratory of those other laws of His which are manifest to the eye of reason, in his works, and in the book of nature.

13. While in entire harmony with the laws of nature, a harmony which is the strongest proof that what is given to us as a special revelation is indeed such, it comes to us supported by other evidence equally conclusive.

The Almighty has been pleased to accompany these revelations of his will, given for the help of our weak natures struggling upward to a higher and better life, the aid of divinely constituted teachers, namely, a church, and a priesthood, and sacraments, especially instituted and established by Christ, its spiritual

head; and because thus specially instituted, must, to preserve its divine character, be continued in the particular manner which he has prescribed and approved —must keep itself, in imitation of the example of its great founder, "unspotted from the world."

14. A church and a priesthood whose especial and only duty it is to make known the great truths of revelation,— to cultivate and to develop that which in man's nature is most noble and godlike, and to lead souls, by the power of moral teaching, and example, and the grace of God, from darkness and sin to the light and life of heaven.

15. Without the supernatural aids thus given, and a priesthood thus instituted, mankind would still be groping and stumbling in the regions of darkness and doubt, would still be where all that portion of the race now are upon whom the light of Christianity has not fallen.

16. It was shown in our remarks upon civil government, that up to the time when the United States took their place among the nations of the earth, intelligent minds had progressed so far in developing the true theory of civil government, as to expose the fallacy of the divine right of kings, substituting in its place the consent of the people, or of the governed, as the true basis of lawful government. This substitute was without any proper qualification or explanation as to what was meant by the terms "the people," or "the governed."

17. Our fathers, influenced by the teachings of the writers on civil government, after announcing their separation from the crown of England, proceeded to institute governments founded upon the consent of the people. The vagueness of the expression, "the people," did not deter them from its use, and we accordingly find it employed by them to indicate the

source in which resides the supreme power of the state, and from which in the formation of a right government it must emanate.

18. In the instrument declaratory of the separation of the colonies from the government of England, the expression, "the people," is used, and very properly, in its most comprehensive sense, as embracing the entire population whose interests suffered by the arbitrary and tyrannical character of that government.

19. When, however, it became necessary to establish governments, both state and national, and to frame the fundamental laws for their organization, it was necessary to be more explicit, and hence, for the purposes of representation and direct taxes, they were pleased to say in the federal constitution, that "the people" should mean "all free persons those bound to service for a term

years, Indians taxed, and three-fifths of all other persons."

20. This is all which the Constitution of the United States has to say upon this subject, except to authorize Congress to establish a uniform rule of naturalization, and to provide that the qualifications of electors of representatives in Congress shall be the same as for the election of the most numerous branch of the legislature of the state they represent.

21. The elective franchise, which was at first greatly restricted in the several states, has been, under the popular doctrine of universal suffrage, so much extended, particularly in the free states, as to embrace, in most of the latter, all white male citizens of the United States who have attained the age of twenty-one years, and who have resided for a definite time in the state and in the town where they may claim to vote.

22. This change in the qualifications

of electors has not, it is believed, in the more extreme cases been attended with salutary results. The experience of the past very clearly proves that universal suffrage, if practicable, which it is not, as embracing the entire population, is not as great a blessing as claimed by some writers, and that the franchise in most, if not all of the states, is not vested where it should be for the stability of government and the best good of the governed.

23. This fact, in connection with the reasons and the evidence adduced in favor of a franchise based upon the family institution, shows that a change is demanded in our constitutions of government and laws to make them conform to higher and better laws, and promotive of the best interests of the people.

The political power of the country must, it is believed, be placed where it has been demonstrated it rightfully belongs

viz.: with the heads of families, who must hold it exclusively in their hands as the most appropriate depositaries of so high a trust, and as affording the best guaranty for the stability of government and its just administration.

24. If, therefore, the position is a correct one—that the heads of families are the true governing power in society—that civil government is properly an institution of their creation—that they are responsible for its proper organization—that it is their duty to designate the properly qualified electors—to reject such from their own number as are unfit, and to admit others only who are from age and moral standing worthy of such a trust, the question arises—is the exercise of this power consistent with the constitutions of our general and state governments as now established.

25. The reply is, that no material change in those constitutions is required.

All that is needed is simply to amend

the state constitutions so as to vest in the heads of families the supreme power, viz.: the power to designate electors, to make and unmake them as they shall deem expedient and proper. Those who are thus made electors of the most numerous branch of the state legislatures are already by the federal constitution electors under the general government.

26. The change thus made in the state constitutions will be similar in character to that made in the foundation of a building by removing from it an unsound portion and substituting a more perfect in its place. To effect this there need be no derangement or disturbance of the superstructure, nor any interruption to the operations of either government.

27. The heads of families, by concert of action, are numerically able to effect this change through the ballot-box, without disturbing in the least the course of t[h]e government, but it can only be done u[p]

the conviction, which must be general with them, that the assumption or exercise of the power by them as a body is essential to the general welfare, and a sacred and solemn duty which they owe to themselves, their families, their country, and their God, a duty which they are not at liberty to neglect.

28. The question may be asked, how do these views accord with the assertion in the Declaration of Independence that "all men are created equal;" from which it may be inferred that all have the same political rights, and are entitled each to an equal voice in the government. The answer is, that men are not so created either physically, intellectually, or morally, as must be obvious without illustration.

29. How then are they equal? Equal because the children of the same Father. Equal in their relation to Him, the Creator and Ruler of all, and because of this equal relation, united by one great tie and bond

of brotherhood which embraces the whole human race. What this bond implies it is not difficult to understand. What is demanded by it in the narrow circle of the family we all know. In the great family of God the force of the obligations involved is in no respect lessened, but, if possible, increased.

30. "*Love to our neighbor as ourselves*" is the formula which comprehends in the fewest words man's social obligations.

The full and true meaning of this God-given formula is but feebly indicated in the words quoted from the declaration of independence, words, as already stated, which if taken in their literal sense as applied to man's natural endowments physically, intellectually, and morally, and to his natural and political rights, are without truth, and in their effect upon feeble and ignorant minds, if advanced as such, may be productive of serious mischief and injury to the best good and welfare of t

31. Men are not only not created equal, but every step which man takes in the pathway of life brings him into circumstances and under influences which tend to create disparity in the conditions of men—a disparity which is the result of the immutable laws of nature which man has not the knowledge or ability to control, or which through sloth or indifference he does not endeavor to control.

32. These differing circumstances and influences affect very materially the comforts and enjoyments of men, and frequently press so heavily and hardly upon the unfortunate as to call for sympathy and assistance from the more fortunate, demanding from them, by reason of the common brotherhood, the relief which they have the ability to bestow.

33. Of the circumstances and influences which affect the condition of men individually, their comfort and enjoyment, there are few more potent than those which pro-

ceed from the government under which they are placed.

34. The true end and aim of civil government is protection to the family interest, and the individual from injustice and wrong, and to repress, as far as a government may, all tendencies to inequality in the conditions of men, and to aid, also, as far as government has the power, in rendering man's labor most effective for the general good.

35. History shows that most civil governments have been instruments of increasing the natural and necessary inequalities in the conditions of men, instead of lessening them; that in many instances they have been a scourge instead of a protection and a blessing, a means by which a few are enabled to tyrannize over the many, and to monopolize the fruit of their labors by taking from labor the bread it has earned and making therefor no adequate return.

36. We have in the United States endeavored to institute a form of government free from the defects of all previous forms.

We have formed one upon the basis of the common brotherhood of man. A government founded by the governed upon the majority principle, the latter holding the power to change or re-elect their rulers or servants at stated periods, thus enabling them to remove an oppressive or unfaithful administration by the peaceful method of the ballot, and rendering a resort to force to effect the same object not only unnecessary, but a great crime.

37. The several states of the Union in changing their condition from that of colonies had comparatively little difficulty in organizing their state governments, but when for their mutual protection and defense, and attainment of their independence, an Union of all the states was required, very serious difficulties arose.

38. In their transformation from colo-

nies into states they retained their colonial boundaries, and unfortunately, also, to a very great degree, the distrust and sectional pride which a people, under different governments, speaking in some instances a different language, and having a different religion, are too apt to entertain towards each other. This distrust and jealousy prevailed at the forming of the Confederation to a serious degree, as is evident from the circular addressed by the first Congress to the states when submitting to them the articles of confederation for approval.

39. It is therein stated that "the business equally intricate and important has in its progress been attended with uncommon embarrassments and delay, which the most anxious solicitude and persevering diligence could not prevent," and this too when the incipient states, feeble and exposed by a long line of coast to the maritime and other forces of Great Britain needed all the support and strength wh

it was in the power of the Confederation to bestow.

40. The character of the Union under the Confederation as expressed in the 3d article, was that of "a firm league of friendship," entered into by the states "for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them or any of them, on account of religion, sovereignty, or trade, or any other pretense whatever;" and this Union was declared to be "perpetual."

41. Twelve years of experiment under the articles of Confederation, during most of which time the country was struggling for its independence, and had every inducement to unity and harmony of action, was sufficient to demonstrate that such an union as was then formed was inadequate to effect the object sought to be attained.

It was inadequate in time of war, and found to be worthless in time of peace.

42. The history of this period shows that the authority of the general government was, in very many instances, disregarded, and that of the states much weakened in consequence, and in some instances nearly destroyed.

It was discovered that something more than a "firm league of friendship," something differing radically from a confederation, was demanded to meet the necessities of the country.

43. So long as the war of the Revolution continued, and the safety and welfare of the people rendered unity of action among the states essential, the defects in the confederation, although manifestly great, were less seriously felt; but the moment peace was declared, and all outward pressure removed, the want of a central power competent to secure the prompt and harmonious action of t-

several parts, became alarmingly apparent.

44. It was then evident to the best minds, that no "league of friendship," or "alliance between the states," was adequate to accomplish the object to be attained;—that nothing short of a government embracing the whole Union, having its foundation not less deep and broad than that which sustained the state governments, would answer the purpose.

45. It is doing the delegates to the convention which framed the Constitution no injustice to say, that probably a large majority of them went to that convention impressed with the idea that the change or improvement sought could be effected by a modification or alteration of the Articles of Confederation, and such was evidently the idea entertained at the time by the legislatures of most of the states, as appears from the wording of the

several acts of each, appointing delegates to the convention.

46. As that convention progressed in its labors, the conviction came strongly upon the minds of its members, that any attempt to improve the Articles of Confederation was useless. They saw that the character of the structure which they were called upon to build, must be widely different from the one under which they were then living;—that they must begin at the foundation, using new materials throughout;—that their business was not to make more perfect a "league of friendship," a compact, or an alliance, but to frame a constitution for a system of government, in the full sense of that word,—a government which should embrace the people of all the states,—a government having all the prerogatives of the highest ruling power, and capable of maintaining itself against foes within and enemies without,—a government in which is vest

ed the "*jura summa imperii*," as Blackstone has it, the supreme authority, absolute and uncontrolled,—a government which should stand, as such, upon its own broad foundation, independent of the state organizations,—a government which, in the event of a revolt or failure of one or more of the states to conform to the requirements of the fundamental law, and other laws duly passed in accordance with it, should possess the power, the physical power, (and a government knows no other,) of compelling obedience,—should possess, what is essential to every properly constituted government, the power to enforce its lawful and constitutional behests.

47. Looking to the history of the past, as far as that history could furnish lessons of experience adapted to the novel circumstances in which they were placed, they saw, to quote the words of Mr. Madison in the Federalist, that, "*in all the*

examples of ancient and modern confederacies, the strongest tendency continually betraying itself in the members to despoil the general government of its authorities, with a very ineffectual capacity in the latter to defend itself against the encroachments."

48. It was the endeavor of the wisest and best minds in the convention, to so establish the relations of the general and state governments, that the latter should not be "regarded as constituent and essential parts of the former." They therefore, in the most distinct and emphatic manner, made the ordainment and establishment of the Constitution the act of "We, the People of the United States," and declared it to be the "supreme law of the land,"—all other laws to be powerless and invalid if enacted in opposition to it, from whatever source they might emanate.

49. From the moment of the adopti

of the Constitution by the people of the United States, which was done in conventions especially called in the several states, there was not within the limits of the United States any higher law, or any law emanating from any local source, equally supreme.

50. It is now just seventy-six years since the Constitution was ordained and established.

The history of this period shows the greatest danger to exist, not from encroachments upon the rights and powers of the states by the general government, but, on the contrary, in the assumption on the part of the latter of powers not given to them, either in the general or state constitutions.

The history of this short period shows most clearly, that the greatest danger lies where it has been so fatally manifest in the history of all similar governments, in the disposition of the members

"to despoil the general government of its authorities."

51. The doctrine of State Rights, as it is called, has been from the first the ready refuge of the discontented and demagogues in all sections of our country, not excepting certain portions of what we are now proud to denominate the Union-loving North. It has been the canker at the foundation of the government from the time when first enunciated in the Virginia resolutions of 1798, ten years after the Constitution became the fundamental law of the Union, up to the time when the poisonous seed then sown shed its baleful fruit in justification of the present rebellion.

52. Scarcely had the Constitution received its final ratification, before a movement was made and an amendment effected for curtailing the powers of the national judiciary in cases where the states were a party; and the history of

our country from that time to the present affords convincing proofs of the general tendency to deprive the national government of its powers, or to interfere improperly with their exercise. This tendency has been so great in the portion of our country where African servitude is still tolerated, aided by a groundless jealousy of the overshadowing influence of the national government in other portions, that it has culminated in the present great revolt and rebellion,—so that between fanaticism on the one hand, which began by denouncing the national constitution as a league with infernals, and treason and madness on the other, our social and political fabric is being shaken to its foundation, and the structure itself seriously, most seriously, endangered.

53. So important is a clear understanding of the character and nature of our governments, both state and national, an

understanding which can only be reached through the history of the latter, that we shall, we trust, be excused if we invite attention to the circumstances, more in detail, which attended the first unsuccessful effort to establish a republican government.

54. As a necessary consequence to the declaration of independence in A.D. 1776, the states, uniting in that declaration, duly impressed with the importance and necessity of a written bond of union, appointed delegates to draft and submit for their approval such a bond. Of the difficulties to be overcome and delays encountered in preparing this bond, and securing its adoption or ratification in the form of Articles of Confederation, we have already spoken.

55. The Confederation thus formed, required but a short trial to show its inefficiency and unfitness for the object intended, and that something quite diff

ent was demanded to meet the necessities of the nation.

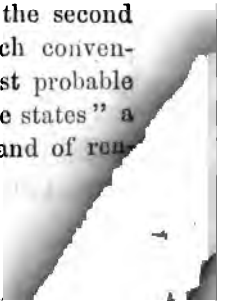
56. The confederation failed because it was not a government in the true and proper sense of the term,—because it was only a "league of friendship," (Art. III.,) a compact, an alliance.

It failed for "the want of sufficient power in Congress to effectuate that ready and perfect co-operation of the different states, on which their immediate safety and future happiness depends." (See Resolves of Assembly of New York, July 21, 1782.)

57. It failed because of the "jealousies and rivalries of the states," resulting in "disobedience to its authority by states and individuals," in "discontents," "animosities," "combinations," "insurrections," "contempt of public and private faith," "decline of industry," and "universal fall in the value of lands and their produce." (See President Adams' Inaugural, 1797.)

58. An effort to amend the Articles of Confederation, made by commissioners assembled at Annapolis in Maryland, in the month of September, 1786, also failed. They reported "great and numerous defects." in the existing system, defects "of a nature so serious as to render the situation of the United States delicate and critical, calling for an exertion of the united virtue and wisdom of all the members of the confederacy,"—and they proposed the assembling of a convention to remedy the evil. (See Report, Sept. 14, 1786, to Legislatures of Va., Del., Penn., N. J., and N. Y.)

59. Whereupon Congress recommended that delegates from the several states assemble in a convention to be held in the city of Philadelphia on the second Monday of May, 1787; "such convention appearing to be the most probable means of establishing in these states" a "*firm national government*," and of ren-



dering "*the*" *federal constitution adequate to the exigencies of government and the preservation of the Union*,—(Journal of Congress, Feb. 21, 1787,)—evidently desiring and intending that the Union, or rather the government comprehending the Union, should be perpetual, or as lasting as time itself.

60. The legislatures of the several states, in the instructions to their delegates to the proposed convention, directed them to frame such a constitution as would "*be adequate to the exigencies of government and preservation of the Union*,"—instructions which, in the majority of cases, were precisely in these words, and in the others did not differ from them in their import.

61. It became evident, on the assembling of the convention, that the members were, many of them, greatly and unduly influenced by local interests, and by sectional jealousies, and by an attach-

ment to and prejudice in favor of the state governments, which made it difficult for them to comprehend the necessity of state subordination, and the extent of the concessions necessary to the authority of a national government.

62. It was not until after four months of deliberation and discussion, that the convention was able to agree upon a form of constitution which was believed to be competent to effect the great object to be attained, viz., that of giving to the general government the character of a *de facto* government, with powers adequate to the maintenance of such a character.

63. The constitution thus formed, was submitted to the people of the United States, accompanied by a letter from Gen. Washington, the President of the Convention, in which he states:

"That the friends of our country have long seen and desired that the power of making war, peace, and treaties, the

levying money and regulating commerce, and the correspondent executive and judicial authorities, should be *fully and effectually vested in the general government of the Union.*" That "*it is obviously impracticable in the federal government of these states to secure all rights of independent sovereignty to each.*" That the convention kept "*steadily in view* THE CONSOLIDATION OF OUR UNION," IN WHICH IS INVOLVED OUR PROSPERITY, FELICITY, SAFETY, PERHAPS OUR NATIONAL EXISTENCE. (See Letter, Sept. 17, 1787.)

64. The constitution framed by the convention, contained a provision (Art. VII.) that "the ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same."

65. It was thus ratified by conventions composed of delegates appointed by the people of nine of the states, on the twenty-first day of June, A. D. 1788, on which

day it became the fundamental law, and a new government comprising the said nine states sprang into existence; the said states by the same act taking their leave of, or were severed from, the old confederation.

66. The ratification by the people of Virginia and New York soon followed. That of North Carolina on the twenty-first day of November, A. D. 1789, and of Rhode Island (which was not represented in the convention at Philadelphia) on the twenty-ninth day of May, A. D. 1790, on which day all doubt was removed, if any remained, as to the validity of the new constitution as it received on that day and previous the assent of the people of the entire Union by large majorities in each of the states. (See Art. XIII confederation.)

67. The history of the country under the confederation discloses the fact th its condition immediately following

seven years war for independence was most critical. From that date to the adoption of the constitution the fate of our great republic lay trembling in the balance.

The abandonment of the compact and establishment of a de facto government alone saved it from destruction.

68. If further evidence is desired, that the new government was designed to be a strong government, a government having within itself the means of self-preservation and capable of ensuring a perpetuity to the Union, it will be found in the constitution itself and in the periodicals and records of that day.

69. Washington in his Farewell Address to the people, states that "a *government* of as much *vigor* as is consistent with the perfect security of liberty is *indispensable*." "Liberty itself will find in such a *government*, with powers, properly distributed and adjusted, its surest

guardian." * * * "To the *efficacy* and *permanency* of your Union a *government for the whole is indispensable.* "No *alliance however strict* between the parts can be an *adequate substitute.*" * * * "Sensible of this *momentous truth* you have *improved upon your first essay*, by the adoption of a *constitution of government*, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns." * * * "The *unity of government* which constitutes you *one people* is also dear to you. It is justly so; for it is a *main pillar* in the edifice of our real independence; the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty you so highly prize."

70. Jefferson in his inaugural in 1801, states as his belief that the general government "is *the strongest government on earth*," and that its "preservation in its

whole constitutional vigor is the *sheet anchor* of our peace at home and safety abroad."

71. In these several quotations, and in the constitution itself, it will be seen that the words *compact* or *confederation* or their equivalents, as applied to the constitution and government are in no instance used. Washington expressly tells us that "no alliance, however strict, can be an adequate substitute."

71. Congress by resolution in 1789, requested the President to "recommend *to the people of the United States* a day of public thanksgiving and prayer to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God, *especially* by affording *them* an opportunity peaceably to establish a *constitution of government* for their safety and happiness."

72. In all the states, the true character of the new constitution was understood.

The opposition it met with in its ratification by each, was arrayed expressly upon the ground that it created a *de facto* government. In Virginia, in particular, the opposition to it was so great that the debate upon it was protracted through a period of twenty days. Patrick Henry, whose patriotism no one can doubt, but whose judgment failed him upon that occasion, opposed its ratification with all his great power of eloquence. "What right," said he, "had the convention to say, *we the people of the United States?*" It created as he assumed a "*consolidated government.*" It was ratified, notwithstanding, by a vote of 89 in favor, to 79 against, and expressly upon the ground that the government created by it, was a government of and by the whole people of the United States as *one people*.

73. Virginia at that day was distinguished for the number and the wisdom of her great men. In her late deplorab

backsliding she is, therefore, more in fault because sinning against greater light and knowledge, and she is reaping, and justly, if possible, a more fearful retribution.

74. The passage of certain state right resolutions drawn by Mr. Madison in the Virginia legislature, ten years after, a legislature not elected with a view to the action thus taken, in no respect weakens the position that the people of Virginia by their delegates in convention expressly assembled for the purpose, placed the seal of their approval upon the constitution as the fundamental law of a *de facto* government.

75. In view of the circumstances under which those resolutions were passed, the conclusion is not an unreasonable one that they were especially designed to secure the support of a particular interest for Mr. Jefferson for the presidency. The real views of Mr. Jefferson upon the sub-

ject were, beyond doubt, truly expressed in his inaugural as already quoted.

76. Mr. Madison while he claims their authorship, exonerates both Jefferson and Monroe from any participation in the framing of those of Kentucky, which were but a reflection of those of Virginia, (see Mr. Madison's letter to J. C. Cabell, referred to in Duer's lectures, p. 413), and he expressly disclaimed in 1832 that there was any intention to give countenance to the monstrous doctrines of nullification and secession which have their birth in those resolutions.

77. The Virginia resolutions are entitled to no more weight than resolutions passed by the same number of respectable citizens assembled for the purpose, and the same is true of those passed by the legislature of Kentucky. There was, at the time, but a feeble response to them from other states, but when leading m at the South began to calculate, or ra

miscalculate, the value of the union, and to conspire for its destruction, they sought in those resolutions for a color of right to secede, and Mr. Calhoun, having been foiled in his attempt to array South Carolina in open hostility to the general government, introduced, in 1838, a series of resolutions into congress which declared that the general government was but the *common agent* of the states, that it was substantially no government, but only a compact.

78. When these resolutions were offered it was fully understood that any member voting against them could not receive the southern vote for the presidency. They were carried by the votes of many whose ambition it is not uncharitable to suppose overcame their convictions of right, presenting, as history will hereafter declare, one of the most humiliating spectacles of human infirmity ever witnessed in any legislative body.

79. It is obvious under a careful review of the history of the past, that our fathers supposed that under the new constitution they had instituted, what the necessities of the country imperatively required, viz., a government in the true and proper sense of the term; not a compact, or league of friendship, or alliance of sovereign states, but a government, to use the words of the preamble to the constitution, "ordained and established" by "the people of the United States." A government based upon the consent of the governed, receiving its vitality and power direct from the whole "people of the United States," limited only in its powers and functions by the constitution, which, together with the laws of congress made in pursuance thereof, are declared in Art. VI to be "*the supreme law of the land.*"

79. A careful examination and consideration of all the facts and circumstances

attending the formation of the new government lead unavoidably to the conclusions to which we have arrived. Section 1, Art. I. of the Constitution says, that "all legislative powers herein granted shall be vested in a congress," &c. If it be asked, who are the grantors? The preamble answers "we the people of the United States, do ordain and establish this constitution," &c. Not we the states, or we the people of the several states, but, we the people of the entire United States acting as one nation or people.

80. This reading is confirmed by Art. IX. of the amendments which says, that the powers thus granted, "must not be construed to deny or disparage others retained by the people." Not, retained by the states, or by the people of the several states, but, by the people, the people of the entire Union.

81. Again in Art. X. of amendments, "the powers not delegated to the United

States by the constitution, nor prohibited by it to the states are reserved to the states respectively or the people." Not to the people *thereof*, or to the people of the several states, but to the people of the entire United States, the same people from whom the powers granted emanated and who "ordained and established" the constitution.

82. Washington, whose voice was more potential in the convention which framed the Constitution than that of any other individual, says in his Farewell address, that "the Constitution," alluding to the Federal Constitution, "which at any time exists, till changed by an explicit and authentic act of the *whole people* is sacredly obligatory upon all." Thus clearly recognizing the people, the *whole people* as the source of power.

83. The doctrine that the Constitution is simply a bond of union, a compact b

tween states, is untenable in every just view.

A compact and a law are widely different in their nature. The one is but a promise, the other commands and is to be implicitly obeyed.

The constitution is declared to be the "*supreme law.*" It is "ordained and established" as laws are ordained and established. No where is it called a *compact.* The old confederation was a compact, a "friendly league," and so stated in one of its articles; but there is no such statement in the constitution, a fact *which has logically all the force of a positive assertion* that the new government was not designed to be a *league* or a *compact.*

84. This also is abundantly manifest in the independent exercise of the highest and most important powers of government,—powers which are made to bear directly upon individuals, showing

conclusively that the government of the Union is a government of the people, and clothed by them with high and sovereign powers.

85. In yielding, as far as was done in convention, to the selfish and unwise demands of the small states, there was no intention to weaken or impair the integrity of the general government as a *de facto* government. Whatever of practical equality the states may have in the government by reason of state representation in the Senate, (a feature forced from a reluctant majority,) the theoretical idea is destroyed by the representation in the House, where the powers of the states are unequal.

86. The same is true in respect to the election of President, which, while it is defective as rendering possible the election of a minority President, does not recognize that equality in the states which is essential to the idea of sovereignty

the sense in which that word must be understood in connection with a compact.

87. The states have just so much power as the constitution allows, and no more. That power, owing to the selfishness and jealousy and lack of forecast of some of the state delegations in the convention is not apportioned as it should be. There is just enough of leaning to the revolutionary doctrine of state rights as to afford material for demagogues to build up an unsound and mischievous theory, and in this view it may be said to have, to a certain extent, a hybrid character, but it has, it is believed, enough of the blood and muscle of the lion in it, to prevent that of the hyena working its destruction.

88. The doctrine that the general government is the creature of the states, and is only a compact, is a doctrine that can not be true, as a principal object avow-

edly aimed at can not possibly be effected under it.

It is expressly stated in the preamble to the Constitution that the object is "to form *a more perfect union.*" A compact would not be a more perfect union. It would be a repetition of the folly of the confederation. It would not be a complete and perfect whole but a thing with open joints and weak points of connection where divisions and destruction could be easily effected by the designing and unprincipled.

89. To suppose that the framers of the Constitution, the men whose influence was the most potent in the convention, meant to give us a government whose only guaranty for permanence was the bond of equal sovereign states, is to suppose them wholly incompetent and unqualified for the duty they were called upon to perform. It is to suppose them blind to the plainest dictates of reason

and of common sense, and to the teachings of experience. It is to suppose them guilty of the supreme folly and madness of planting deep within the vitals of the government the seeds of its dissolution.

90. The advocates of a compact urge in its support the fact that the title of the government is unchanged, being the same now as under the confederation. That the term "United States" has the same meaning now as then, a union of states.

The purpose of the articles of confederation was to define the meaning of that term, and such also is the purpose of the constitution, and it has a meaning now as different from its meaning under the articles of confederation, as the constitution differs from those articles. The latter gives to the union the character simply of a *league of friendship* between states; the former is a *fundamental law*

of government "ordained and established by the people of the United States."

91. The theory of a compact can not well be reconciled with that clause of the Constitution which prohibits each state from entering, without the consent of Congress, "into any agreement or compact with another state." The right to secede, which can only be claimed as a consequence of the theory of a compact, it is not reasonable to suppose, would be attempted to be practically enforced by a single state in a family of thirteen or more states. If secession is attempted by two or more states, this clause of the Constitution must be violated as a preliminary step.

92. It would seem to have been inserted to prevent any attempt at secession, or to forcibly withdraw from the Union. The founders of the government, it is probable, did not suppose that any considerable portion of the people of

the Union would ever be so demented as to desire to leave the protection of the Union. They did not suppose that the people of the South would abandon the only power capable and willing under the requirements of the Constitution to shield them in the possession of an institution obnoxious to the moral sense of the world; much less that they would resort to force to accomplish such an object.

93. Thus was constituted our national or federal government,—a government which was not the creature of the states as independent sovereignties, but a government based upon that great and sacred principle, the consent of the governed as ascertained by conventions of the people and their delegates expressly called and assembled for the purpose, and so given that while the sense of the whole people of the United States was truly indicated, showed conclusively that it had the ap-

proval of a majority of the people in each of the states; an approval which was important in view of the supposed independent position of the states under the confederation, a position which they were no longer to hold in the new order of things inaugurated by the establishment of the federal or general government.

94. The constitution or fundamental law of the general government being thus placed upon a foundation as deep and broader than that of any state government, and taking or rather withholding from the latter the most important powers of sovereignty, required for its ratification the approval of the majority of the people in each state, as well as the majority in the whole United States.

95. This it obtained in the only mode practicable, by the aid of the machinery of the state governments, the vote thus taken effecting the double object of a voluntary surrender or renunciation of

power, as far as such renunciation was necessary, by the people of the several states, and the bestowal of the power thus surrendered, by the whole people, upon the general government.

96. It will be seen that neither the constitution, nor the general government formed under it, were the creatures of the states, as such, in their character of political sovereignties. The fact that the delegates who framed the constitution were appointed by the state authorities, does not in the least affect the correctness of the conclusion. Those authorities had no power under their several constitutions to create a central or general government, no power even to form a compact. Then, as now, the legislatures of the states possessed no power except what was expressly given in their written constitutions. At no time were they wholly independent, (unless in the case of Rhode Island, which was the last

to enter the new Union,) and for the degree of independence they enjoyed they were indebted to the protection afforded by the government of the Union.

97. The legislative machinery in each state was used as the most convenient and proper means of assembling the people, or their delegates, in the respective states in convention, for the special purpose of voting upon the adoption of the constitution, and the new government to be created under it, and that was the only action, save the one of appointing delegates to frame it, that was taken by the state legislatures in relation to the constitution.

98. It was the people, the whole people of the United States, acting as one nation, that first breathed into the constitution the breath of life,—a constitution which has since become, if possible, more sacredly binding by the oaths of individual citizens, in all sections, to uphold and maintain it.

99. The constitution of 'the general government became "the supreme law," direct from the source of power,—the same source from whence emanated in a more limited form, within the state boundaries, the state constitutions, which henceforward were never again to be claimed to be the supreme or highest law within their own limits, but were restricted and forbidden to do, and rendered incapable of doing, for ever after, what was exclusively and especially entrusted to the greater power to perform.

This is the only consistent view to be taken of the character of the new government, and of the intentions of its founders, of those who had the most influence in its formation.

100. The assumption that it was designed to be simply a compact, a friendly league, after the experience of the confederation, is in the highest degree derogatory to the good sense and patriot-

ism of the illustrious men through whose instrumentality it was established. They meant to give the country, to use the words of Jefferson in his first inaugural, "the strongest government on earth,"—not a rope of sand to be torn asunder by state or individual or sectional jealousies and rivalries.

101. As already stated, the constitution received the assent of the people in three-fourths of the states on the twenty-first day of June, A. D. 1788. It was on that day, "ordained and established" as the fundamental law of the new Union, and *it was on that day that the Republic of the United States was born.*

102. The oppressed colonies of Great Britain declared their independence of the mother country on the fourth day of July, A. D. 1776. That was a great event in history, but the ability to make good that declaration, and to maintain their independence, and realize the greater

99. The constitution of 'the general government became "the supreme law," direct from the source of power,—the same source from whence emanated in a more limited form, within the state boundaries, the state constitutions, which henceforward were never again to be claimed to be the supreme or highest law within their own limits, but were restricted and forbidden to do, and rendered incapable of doing, for ever after, what was exclusively and especially entrusted to the greater power to perform.

This is the only consistent view to be taken of the character of the new government, and of the intentions of its founders, of those who had the most influence in its formation.

100. The assumption that it was designed to be simply a compact, a friendly league, after the experience of the confederation, is in the highest degree derogatory to the good sense and patriot-

ism of the illustrious men through whose instrumentality it was established. They meant to give the country, to use the words of Jefferson in his first inaugural, "the strongest government on earth,"—not a rope of sand to be torn asunder by state or individual or sectional jealousies and rivalries.

101. As already stated, the constitution received the assent of the people in three-fourths of the states on the twenty-first day of June, A. D. 1788. It was on that day, "ordained and established" as the fundamental law of the new Union, and *it was on that day that the Republic of the United States was born.*

102. The oppressed colonies of Great Britain declared their independence of the mother country on the fourth day of July, A. D. 1776. That was a great event in history, but the ability to make good that declaration, and to maintain their independence, and realize the greater

glory of erecting for themselves a superior form of government, remained to be demonstrated. It was demonstrated by great trials and sufferings and heroic sacrifices extending through a period of nearly eight years, and a further effort to secure the most perfect government practicable, which was not effected until the day named above, when the crowning event in our history was reached, in *the gift to the world by a free people, of the first civil government founded in the immutable principles of justice and of human rights, the first christian government framed in the spirit of that great law of human brotherhood enjoined by the Saviour*, thus giving to that day an importance in the memory of the past not transcended by any other since the day when by the sacrifice of the Cross humanity was lifted from the dust and darkness of its fallen condition, to the light and the hope of heaven.

103. Although the government of the United States, under the present Constitution, was a great improvement upon former systems, an immense stride in the better direction, toward the great end of securing the best form, a form in harmony with the true law of man's being, and the will of his Creator; yet, by reason of the many difficulties attending its formation, it is not free from defects.

104. These defects should be understood by every citizen, and be corrected in the mode prescribed in the constitution, at the earliest moment possible, that they may not be made, for the reason that injustice is done, the pretext for resistance or the cause of a bitter sectional feeling which may at some future day endanger the peace of the country.

Perhaps the most prominent of these defects is the manner in which the highest legislative body, the Senate, is constituted.

105. In the arrangement of the representation, justice and good brotherhood demand that it should correspond with or be a correct measure of the population.

This rule is imperative. To deviate from it is to create a privileged community, and, by consequence, to deprive a portion of their just rights.

106. A rule so just, and so indispensable in arranging the details of a government which is designed to be permanent, was not adhered to in the organization of the Senate. That body is formed by two members from each state, without regard to population. In this particular there was no improvement upon the articles of confederation. The vote of Delaware in the Senate of the United States, with its white population of less than 100,000, is as potent as the vote of New York, with its population of four millions.

107. It is matter of history that the legislature of Delaware, in the act appointing delegates to the convention which framed the constitution, instructed those delegates to *insist* that each state should have an equal vote in the general congress.

This feature was adhered to with the greatest pertinacity by the small states in the convention. Delaware threatened, if it was not adopted, to "take a foreign power by the hand;" and Mr. Martin of Maryland declared that "each state must have an equal vote, or the business of the convention was at an end."

Dr. Franklin stated that the vote by states was submitted to in the confederation under a conviction of its injustice, and with others of the ablest men in the convention opposed its adoption in the new constitution. In a vote by states—and the votes in the convention were all thus taken—the majority were also opposed.

108. The feelings of the members in the convention were aroused by it to a degree which threatened its dissolution. As a last effort for reconciliation, a committee was appointed, who, at the expiration of three days, reported in favor of confining the state representation to the Senate, the House of Representatives to be organized on the basis of population. This was the plan adopted, thus practically, to a certain extent, making Congress the creature of the states, since no bill can become a law except by the approval of the Senate. It was adopted, not as being just or proper, but as a necessity,—the smaller states, to use the words of Mr. Grayson of Virginia, "gaining their point."

109. To give to a minority power equal to the majority, is a violation of the principle of equal rights. The majority principle among equals, is the only just principle. The idea that minorities should

have greater power relatively, to protect them from majorities, is fallacious.

Majorities are not as likely to oppress as minorities, and if oppression must be, it is quite as well that the few should suffer, rather than the many. Superior or equal power in the hands of a few constitutes an aristocracy, or an oligarchy, and in those of an individual, a despotism.

110. The doctrine of *equal rights among equals, and the majority principle, are main pillars in the edifice of a republican government*, and our national government is weak and the system defective in those particulars in which, in the fundamental and other laws, there is a departure from those great principles.

111. The smaller states, in the framing of the constitution, in order to perpetuate their monopoly of power, caused to be inserted a provision, the only one of the kind in that instrument, which pre-

cludes the possibility of correcting this most unjust feature, except by the consent of all the states.

112. It is a most unfortunate provision, and the sooner it is wiped from the face of the constitution, by the consent of all the states, the better. It is particularly unfortunate that, because of it, the mode provided for amending defects in the constitution can not be applied to the greatest of its defects.

113. As yet no serious mischief has resulted from it, but the time will come when, unless rectified, it will more surely rend asunder these states than any effort now making for that purpose.

The trial will come when it shall be seen that the states upon the Atlantic slope have double the representation in the government, in proportion to population, compared with the states in the valley of the Mississippi and the slope of the Pacific. " present that representation is very

nearly, as it should be, according to population, but the rapid growth of the West will soon create a disparity.

114. The West in a contest of this description will have justice and the physical power on its side, which the South in the present contest have not, with a commercial bond, owing to sameness of latitude and products, less effective as a preventive to a rupture, than obtains between the North and the South. The result can easily be imagined, and can only be prevented by timely action on the part of the people of all of the states, and especially of those smaller ones which hold power unjustly, and whose consent is required by the constitution. Action which should be taken as soon as our present troubles are ended, and before the angry passions of any particular section are again aroused.

115. Let us view this subject in another light. Let us suppose our entire country from the great lakes to the Mexican gulf,

and from the Atlantic to the Pacific, to be without a government, and that the people with their present intelligence are about to frame one.

116. Would they not begin by instituting a national government, framing and adopting a constitution defining its powers, giving to it only such powers as it is proper for a general government to possess, and a full and complete supremacy within its allotted sphere? Having done this, would they not then divide the country into convenient and suitable departments or states, and sub-divide these into smaller municipalities, to be governed each in those matters not coming properly under the cognizance of the general government by their own local or municipal laws? and in doing all this, would they not be scrupulously careful to give to each principal division a representation in the general government corresponding to its population, and the same in respect to the

representation of the smaller municipalities in the higher divisions?

117. No other plan could be adopted. The gross absurdity and injustice of any other would be so manifest that it would meet with instant rejection. *The smaller and weaker states are the most interested in maintaining the general government of the country*, and should be foremost in the removal of those causes which endanger its existence. The question of equality of representation is more replete with danger to the republic than any other, and attention can not be too seriously turned towards it. Where the great doctrine of equal rights is so clearly and plainly violated, and that to an oppressive degree as in the case of the senatorial representation, there is no safety, except in a prompt and full correction, as far as practicable, of the evil.

118. Differing so greatly, as does the population of the several states in amount,

the evil can not be fully corrected without enlarging the number in the senate to an inconvenient degree, unless two or more of the smaller states can be induced to unite in a representation in that body.

119. Perhaps the nearest approach which it is at present practicable to make to a just representation of all parts of the country in the senate, is to give to each state, however small, one senator, and to the others one for each million and fraction of a million of their populations.

This would give to the senate some fifty members at the present time, (1864,) and nearly double that number when the population of the Union shall be doubled. If the representatives from Rhode Island or Delaware will propose a change of this description in Congress, to be seconded by those of Maryland, the act will redound greatly to the credit of those states, and serve to clear the history of their present connection with the Union from the cloud hangs over it.

120. Only that form of government which is the most just is the most likely to endure. We should bear constantly in mind this truth, and wherever our present system differs from the most perfect in form, amendment should be made, but only in the mode pointed out by the constitution itself, and it should be done without unnecessary delay.

121. Amendments to the constitution must, by Art. V., originate with Congress, or the legislatures of three-fourths of the states, and be ratified by the people, or the legislatures of three-fourths of the states. This last provision is wrong, as it is a departure from the basis upon which the constitution itself was established and became the supreme law. Amendments when adopted become integral parts of the constitution, and should derive their validity from the same source, and in the same manner as the constitution itself.

This inconsistency is explainable only

by the fact of the undue influence of the states, as such, in framing that instrument.

122. Here we may remark that the power given to three-fourths of the states thus to change or invalidate by amendments to the federal constitution the fundamental laws of a state, is a surrender to that extent of whatever sovereignty the states may have possessed at the time of framing the constitution.

123. The mode provided for designating electors of president and vice-president is exceptionable, as it is a departure from the doctrine of equal rights, by giving to the smaller states an undue influence, it being provided that the members of the electoral college from each state shall be equal in number to the senators and representatives united. Contrary to the intentions of the framers of the constitution the electors have never, it is believed, exercised a discretion in casting their votes, but have in every instance conformed to the nomina-

tions of the political party to which they belonged.

124. With respect to the qualifications of candidates for president and vice-president the minimum age can, it is believed, be advantageously increased at least ten years, viz.: from thirty-five to forty-five years, and the same in respect to senators and representatives.

Forty, and thirty-five years, is not too low a limit for the latter. It is a question of importance whether the Presidential term of service may not be advantageously increased, and it is worthy of consideration also, whether some check other than now exists, may not be put upon the nominations of men for the highest offices, because of their supposed availability, without regard to their qualifications. The country needs its most experienced, its most trustworthy and most reliable men in the highest positions of trust, and a better guaranty will

be afforded that such will be selected, if the change suggested is made.

125. This subject of a choice of persons to fill the places of trust and power in the government, is one demanding the most serious consideration. The experience of the past clearly shows that without due vigilance, and attention to their duty in this respect, on the part of the electors and suitable amendment of our fundamental and other laws, state and national, we can not long hope to enjoy the blessing of a free government. It is not to be denied that the terrible war now waging in our midst, is the result, in a great degree, of a neglect of this duty, in all parts of our land. No one can have visited our halls of legislation for the last twenty years, without observing that a large portion of those who are entrusted with the making of our laws, are either incapable or unworthy of the trust reposed in them,—unfit

to be the law-makers and administrators of the government of a great and free people. As sure as that every effect is the result of an adequate cause, just so sure must we reform in this respect, or the days of the nation will be as a tale that is told.

126. To lessen in some degree the evils resulting from the manner in which nominations are now made, and elections to office effected, it is proposed that the electors in a given district or state, be separated, according to age, into three equal classes. By referring to the census returns it will be seen that, when the suffrage is confined to males of the age of 21 years and over, the number in each class will be the same, or nearly so, if the first class embraces all of the age of twenty-one and under twenty-nine years; the second class, all of the age of twenty-nine, and under forty-two years; and the third class, all of forty-two years of age

and over. If the suffrage is limited to the heads of families, the two last periods will be somewhat varied.

127. Each of these equal classes to elect from its members the same number of delegates, whose duty it shall be, in conjunction with the delegates from the other classes, to fill, by ballot, the vacancies to be supplied.

The delegates in balloting to be confined to the names voted for upon the first ballot. If the persons voted for at any ballot exceed the vacancies to be filled, the person having the least number of votes to be dropped from the list of candidates. If there are two or more thus situated, having an equal number of votes, the balloting to be repeated, and, if with a similar result, then all thus situated to be dropped from the list of candidates, unless a choice is likely to be defeated, in which case, the selection from

those having an equal number of votes must be made by lot.

In this manner if the delegates or names presented are not too numerous, a selection is sure to be made within a reasonable time.

128. The several classes of electors may, with propriety, meet on different days, near to each other, to elect their delegates. Those who are selected to fill the highest offices of President, Vice-President, and United States Senators, should be taken wholly from the third class, or those over the age of forty-two. Representatives in Congress, and governors of states, may be taken from the second and third classes. All other civil officers to be taken from either of the three classes.

129. The great object to be attained under any system, is to give to all, who possess the right, a just influence in the government, and secure, at the same time,

the services of the best men for its administration; a result not attained with sufficient nearness by any system hitherto adopted. The horizontal division of the electors into three classes or estates, as proposed, will lessen the danger of sectional divisions; avoids the odious features of a division based upon property or lineage, and offers a better guaranty that the best men will be selected for office.

130. That portion of the constitution which permitted the introduction into the country of persons from Africa, it is now seen, was an error. It was, to use a mild phrase, a great mistake to permit the forcible importation of men and women for purposes of gain, even for a limited period.

Being avowedly wrong after the year 1808, it was equally wrong prior to that date. The responsibility of this feature of the constitution rests as heavily upon

the Eastern as upon any other portion of the Union.

131. At the period of the formation of the constitution, African slavery was viewed in all sections of the Union as a great and serious evil, and had the alternative been presented of its perpetuity or immediate abolition, but few voices would probably have been raised in favor of its continuance. The ordinance of 1787, framed by Mr. Jefferson, and passed by Congress by nearly an unanimous vote, excluding African slavery from the vast region north and west of the Ohio river, where our territorial possessions then lay, is proof conclusive that such would have been the result.

132. It was indeed a fatal mistake, as we of the present day now realize in the most painful manner, to recognize, even indirectly, in arranging the frame work of a government designed to be permanent, an institution which is the offspring

of the baser passions of our nature, and which by first demoralizing inevitably destroys.

133. A little reflection upon the great truth that civil government is a divine institution, that those who administer it are God's ministers, brings with it the conviction that any compromise of the right, any departure from the great principles of truth and justice, must in time be visited with the just penalty which follows the violation of the laws of God.

134. African slavery obtained its foothold in our country while we were yet colonies of Great Britain. It prevailed in nearly every state of the Union, and northern advocates and northern votes were not wanting in favor of its recognition to the extent allowed in the constitution.

135. When, however, after the lapse of a few years, the inventions of Watt, of Arkwright, and of Whitney, and oth-

ers, gave to the article of cotton the character of what some were pleased to term a king among staples, and slave labor became valuable, and remunerative to an extraordinary degree, the views of very many persons in the cotton producing states, and in those states where slaves could be advantageously bred for the market, were changed, and systematic efforts were adopted, which in the end were successful, in effecting a general change in public sentiment in the states of the south, favorable to the rightfulness and the continuance of the institution, and, to some extent, in those of the north.

136. Those who were mainly instrumental in bringing about this change, there is reason to believe, early came to the conclusion that African slavery could not be permanently and certainly sustained under a republican government. Hence measures were devised and adop-

ed calculated to lead to the withdrawal from the Union of the class of states interested in African slavery. The principal of these measures consisted in an attempted gross perversion of the constitution by declaring the national government to be only a compact, a league of friendship, the common agent simply of the states. It was assumed that the states (which in truth never had an existence as independent sovereignties) were the only governments proper in the country, a perversion which has found its natural culmination in the present revolt and rebellion, and in placing the people of the slaveholding states where they now stand, with hands red and dripping with fraticidal blood, in armed resistance to the regularly constituted authorities of the land.

137. The constitution is not only justly open to criticism in the particulars to which attention has been directed, but

there are defects of omission, which should not be overlooked; defects which are mainly attributable to state pride, and state jealousy, and which are both unreasonable and unfavorable to a just solution of the great problem of free government. Some of its more important provisions have not been duly enforced, and the states, moreover, have assumed to exercise powers which clearly belong to the higher power of the country.

138. The control, for instance, of the national government over the currency of the country is, under the constitution, supreme, and the states are distinctly prohibited from emitting bills of credit. But the states have authorized the emission of such bills by banking institutions to an extent which has at times flooded portions of the country with a vitiated currency, and have given them the protection of law when called upon to re

deem their emissions with coin. This evil is now, so far as regards the unconstitutional action of the states, likely to be corrected altogether by the necessity which compels the general government to supply with its own paper the circulation of the country.

139. The evils which the country has at times experienced from state banking institutions have proceeded almost solely from their ability, by independent action, to increase or lessen at will the money circulation of the country. As banking institutions proper, they have conferred not only the great benefits derived from corporations generally, as already stated, they have had a beneficial influence mes of financial panics, in mitigating severity, by maintaining the rate of rest within reasonable limits.

140. It is true that, at such times, a few have, in many instances, been suc- borrowers from the banks, to the

exclusion of more worthy applicants, but when it is remembered how much of the capital of the country is concentrated in such institutions, and that they are forced, in making loans, to conform to the rate of usance established by law, it will be seen that they are largely instrumental, in times of financial revulsions, in saving the country from much pecuniary distress.

141. Charters of incorporation, under our present system, have, with but few exceptions, been granted by the state governments. These charters possess general features which are, or should be, alike in all. Hence they should be the subject of legislation, or of approval by the general government, leaving to the state governments to supply such portions, only, as may be varied to suit local requirements.

142. Very much of the legislation which is now done by the states, may more prop

erly and advantageously be done by the general government, or be made subject to its approval, and the necessity for a change of this character is becoming every day more apparent.

The rapidity and cheapness of intercommunication has so combined and woven into one web, as it were, the business of the whole country, that greater uniformity in the laws in the several states is becoming a greater necessity than heretofore, an uniformity which can only be secured through the instrumentality of the general government.

143. The persistent judicious exercise, by the general government, of the powers which pertain to it, is necessary to its life and permanence, and to the best good and welfare of the whole people. In so slight a degree has the action of the general government been felt by the people of the states, during the last fifty years of peace with other nations, that the im-

pression seems to have obtained in the minds of many, that the national government is comparatively of inferior or secondary importance in the civil polity of the country, and that the state governments are adequate to the performance of all the needful functions of government. This erroneous impression should be corrected, and the conviction strengthened that the unyielding exercise, on the part of the general government, of its appropriate powers, is essential to the welfare of all under its influence.

144. The disposition to undervalue the importance of the general government has been indulged in, and the doctrine of state rights and state independence has been cherished to that inordinate degree, as to lead to the present formidable rebellion.

145. The general government, in all of our past history, has not only not in any instance encroached upon the rights of

the states, but it has been instrumental in several instances towards the maintenance of the powers and authorities of the states. The insurrections in Massachusetts and Pennsylvania, in Rhode Island, and in New York and Virginia, are cases in point.

It has been instrumental in suppressing or preventing hostilities between states, as in the controversy between Ohio and Michigan, and in the adjustment of other difficulties of a serious nature.

146. By its power it accomplished the independence of the states of the Union, in the first war with England, and protected them successfully in that independence in the war of 1812. At no period in their history have the states of the Union been, strictly speaking, sovereign and independent. At the time of their separation by treaty from England, they were already under the government of an Union which was declared to be *perpetual.*

147. The general government has given to the Union the Floridas and the vast territory between the Mississippi and the Pacific. It has protected the commerce of the Union in every sea, and maintained the rights of its citizens in every clime.

148. Our country under our good government has been the asylum and the refuge of the oppressed and down-trodden of all nations for the last eighty years, during which period no less than ten millions of souls have come to our shores from all nations and climes, and found here homes of comfort and peace.

Under its benign influence the republic has attained the front rank of the nations of the earth, and our country and its people have enjoyed a degree of prosperity unexampled in history.

Amid all this great prosperity, and without cause, traitors from among us, traitors to their country and to humanity, have conspired to destroy our gov

government, have conspired to degrade and humiliate us in the eyes of the world. The government is now engaged in defending itself from these treasonable assaults upon its life.

149. The result will determine whether we are indeed one people ;—whether the Constitution of the United States is the *supreme law of the land;*—whether our general government is in truth a *de facto* government, possessing the ability to defend itself from enemies without and foes within ; or whether it is only a compact, a friendly league, or an alliance, to be broken, destroyed, or mutilated, according as interest, passion, or caprice shall instigate those who owe allegiance, and obedience, and fidelity, to it.

150. That the present conflict will demonstrate the ability of the government to sustain itself, is not doubted; but to guard against the recurrence of a similar great evil in future, we must re-

vise and correct our opinions upon the question of state sovereignty and state rights, as compared with the reasonable and proper and necessary powers of the general government.

151. We shall be more disposed, hereafter, it is believed, in awarding credit to our Fathers for their labors and efforts in the cause of good government, to be more particularly grateful to the men, like Washington and Franklin, and others, through whose influence and forecast, especially, our country derived the great blessing of a *de facto national government.*

152. Although acquisitions of territory by the United States have been made, probably to a greater extent than was anticipated by the framers of the Constitution, yet it is not easy to explain the reason for the slight notice the territories received in that instrument.

It certainly would have been better if

the precise political relation of the people of the territories to the government of the Union had been more clearly stated.

153. The omission to do this has been to a very considerable degree the proximate cause of our present national difficulties.

It is true that the Constitution says, very plainly, that "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

154. This clause was at first construed as giving to Congress the power to institute governments in the territories, and Congress acted upon this view of the subject.

How it could have been so construed it is not easy to perceive, since the clause is evidently confined to the protection of the property interest of the people of the United States in the domain of the ter-

ns.

155. Subsequently this doctrine, which met with no party opposition, was repudiated by the Supreme Court of the United States, which body could find no other ground on which to base the power in question, but the dangerous one of "inevitable necessity."

156. An alternative of this character is most unfortunate, and particularly so as the *inevitable necessity* for Congress to interpose in the manner stated is not by any means apparent. Neither is it evident that the necessity, if it existed, justified the rule adopted by Congress, that the people of a territory are not entitled to determine for themselves the question of African servitude, within their own limits, the moment they are in the enjoyment of an organized government, of whatever form, or however established,—a rule without warrant in the letter of the Constitution, and in open violation of its spirit.

157. That Congress has assumed powers on the subject, not distinctly conferred, there can be no doubt, and hence it would have been far better had the Constitution been more explicit upon the subject of the political rights and powers of the people of the territories.

158. In the administration of justice, the Constitution gives to Congress the sole power to designate how the courts of the United States shall be established. This is not, perhaps, objectionable as it regards the inferior courts, but in respect to the supreme court, that august body whose duty it is to determine and interpret the Constitution itself, the question may be asked, whether a different provision for its organization could not have been made, that would more certainly have secured, in its composition, the ablest and the best men of the country, men who would be elevated to that high trust free from any undue influence of ·ct or party.

159. In criminal cases the Constitution secures to the accused the right of trial by jury, and in civil cases the same right, where the value in controversy exceeds twenty dollars. This value may now, it is conceived, very properly be raised to say one hundred dollars.

160. This right of trial by jury, being an important feature in the system of the country from whence our own has been mainly derived, has been deemed important, but the question is now being asked by many, whether a trial by one's own peers, which was the first idea of a jury, does not imply a state of society which does not obtain in a country where political equality is a cardinal principle, and whether the administration of justice will not be more completely and certainly secured, in all cases, by a properly constituted judiciary.

161. The question may also be asked, whether some of the machinery now em-

ployed in efforts to attain the ends of justice, may not be simplified by the establishment of tribunals of *conciliation*, which in very many cases will lessen the cost of proceedings, now so oppressive in many of the states.

162. An organic union of the church with the state, under the Constitution, is impossible, and Congress can "make no law respecting the establishment of religion, or prohibiting the free exercise thereof." This is right; but the absence of any recognition of an overruling Providence, and of any express power enabling Congress or the Executive authoritatively to designate proper days for public fasting and humiliation or thanksgiving, and to enforce their respectful observance by abstinence from servile labor, is inconsistent with the divine character of civil government and man's dependence upon and the gratitude due to a beneficent Creator. In this particular the Consti-

tution should be amended, and a clause may also with propriety be added, declaratory of the mode of reckoning time from the Christian era, in accordance with the practice of the civilized nations.

163. The duty of the priesthood upon occasions of the character above named is plain. When an entire people manifest through their rulers a desire, from any cause, to approach in a public manner the throne of the Highest, their aid should be invoked and promptly rendered, to the neglect, if necessary, of the stated observances of the organization to which they may belong; and wherever the liturgical system is adopted suitable forms should be provided, and ready for use upon such occasions.

164. It is also in like manner the duty of the priesthood to supplicate on all public occasions in behalf of their congregations the blessing of the Almighty upon all who are in authority or in the service of the

country, that they may in the performance of their duties be under His guidance; may do nothing inconsistent with His laws, inconsistent with justice and the sacred obligations of human brotherhood.

165. The question as to how far a man's religious opinions should affect his qualifications for office is one of importance. The mind that is too feeble or too illy constituted to comprehend the existence of a creator and upholder of all things, whose attributes are those of the highest wisdom and goodness, is unfit for any trust or responsibility at the hands of an intelligent constituency. Those who discern in the Christian system evidence of its divine character, and the importance to mankind of the truths it unfolds, can not, as a general rule, conscientiously be instrumental in elevating to offices of trust individuals who have no such belief; but the duty of the true Christian in this respect should not be performed in any narrow spirit of

sectarism. Due allowance should in all cases be made for honest differences of opinion in those particulars which are not of vital importance.

166. The constitution provides that "the United States shall guaranty to every state in the Union a republican form of government," and it provides also that "new states may be admitted by the Congress into this Union." The first of these provisions does not favor the doctrine of state sovereignty as maintained by extremists of the state-right school, and might be adduced as additional evidence of the correctness of our conclusions upon that subject. It is the duty of Congress to admit into the Union only such states as have constitutions of the republican form, in harmony with the constitution of the United States. The constitution of every new state having thus to pass the ordeal of Congress, any alteration or amendment subsequently made should pass the same

ordeal, and this applies to the constitutions of the original states which have been framed and adopted since the formation of the Union. It is true that this test would not in any instance have affected the result, but the neglect of it may lead to misunderstandings and trouble in the future.

167. More might be said in review of our present constitution and of the action of the general government under it, but we forbear longer to occupy the time of the reader.

We can not, however, before concluding, refrain from recurring to the importance of a due consideration of the family institution in the organization and administration of government. For want of this due consideration all efforts heretofore made for the establishment of a right government have failed. Success perfect and permanent can not be attained so long as the public mind is in darkness upon the subject.

168. If the conclusions upon this subject, arrived at in our first number, are logical in their character, as we believe them to be, then mankind have yet to learn that with the heads of families, as a class, rests the supreme power of a state—that this power is especially delegated and entrusted to them by the Almighty—that as a class, and individually, they must not neglect its exercise, but must use it to the best of their knowledge and ability for the best good of the race, and especially for the improvement of the homes of the people, and their multiplication, and in giving to them, as far as practicable, an equality of comforts and enjoyments.

169. If this duty is neglected all efforts to establish right and stable government and permanently to improve the social condition of men must prove futile.

Under a neglect of this duty a nation may flourish, or seem to flourish, for a time, but the fatal consequences of neg-

lect will eventually become manifest. The mildew and the blight will gather upon it, and decay and dissolution follow. Wherever this great and sacred duty is practically ignored by any nation, the shadow of the destroying angel may be said already to rest upon it. This truth should sink deep into the minds and hearts of all.

170. Our great and good government, a government which, notwithstanding the defects in its organization, is the best, the most just, the most beneficent ever established, is now being subjected to the severest test possible. We are now practically solving the great question of its true character—whether it is simply a compact, a friendly league, an alliance, or a *de facto* government—whether what we term our national government is still in the primitive, the feeble, the cartilaginous condition, (we may so term it, of the old confederation, or, whether, upon the adoption of

the constitution, it passed into a newer, into a higher, into a more perfect form, into a more perfect organism, an organism vertebrated and funiculated, and capable in all respects of self-support.

171. This is the question now being solved by the greatest enginery of war and the marshalling of armed hosts, such as the earth has never before witnessed. If we are true to ourselves, true to the memories of our fathers, and above all, true to our obligations of duty to our fellow-men, and true to Him who is the source of all good, the result can not be doubtful. Right and superior power must prevail. He who rides on the whirlwind and directs the storm will give to us the blessed calm of a lasting peace under a brighter sky than has ever yet canopied our glorious Union.

172. The rebellious states will again take their position under the protecting wing of that government which, in past

time, has conferred upon them so many blessings, and under which they grew rich and powerful to a degree unexampled in the history of nations. Upon the return of the people of those states, who are now in armed rebellion, to their allegiance, the grave question may arise as to whether they shall have the same privileges under the constitution as heretofore, or whether, as the latter may not be readily changed in a legitimate way, we shall cast loose the sacred bond for the purpose of a re-organization and re-construction upon a plan more agreeable and consistent with what may be the views of many as to what is right.

173. The history of the first twelve years of the Union from the declaration of independence in 1776 to the adoption of e constitution in 1788, in connection th what has transpired since, in threats separation and efforts to break up the nion, until they have resulted in our

present difficulties, convey to us a most important lesson, a lesson which can not be too seriously pondered by all who wish well to our country and to the cause of free institutions.

174. That lesson teaches the utter hopelessness of a reconstruction of the government and the Union, if the great bond—the fundamental law—is once disrupted. Let the conviction obtain that the binding force of the constitution is gone, and the effect will be like that of the withdrawal of the centripetal force from the bodies of the solar system.

The states could only be brought back to their places in the Union by the same power which can alone recall the planets to their orbits.

175. Human agency and human efforts, it is quite obvious, would be ineffectual. It is in this view, and under this conviction, that many intelligent minds look with alarm upon any proposi-

tion at this time, to reorganize and reconstruct the government. The very words have a portentous meaning, and should not be used, except with the greatest caution and consideration, in connection with our present difficulties.

176. That our Constitution has defects of a serious character has been shown. The wonder is, when the history of its formation is clearly understood, that it contains so few. Its perfect character is one of the most striking of the many convincing proofs alluded to by Franklin in the debate upon it, that "God governs in the affairs of men."

177. We must cling to it, to use the words of Jefferson, and uphold it in all its vigor as "the sheet anchor of our political safety" during the storm that is now raging. It is under Providence our only guide and hope. Abandon it and our beautiful land will become the prey of contending factions, and our great and

good government, with its precious freight, comprising all that is most dear to humanity, will be cast a hopeless wreck upon the strand of time.

178. We must exert our every energy to restore, as speedily as possible, the country to its normal political condition under the constitution as it is, and when this is effected, when the passions of men have subsided, and the public mind is in a condition to see clearly and judge rightly,—when the constitution can be revised by a convention which shall represent, not the states only, but the people of the whole Union, then will be the time when every good citizen, every true patriot, will use his best endeavors to have all defects rectified in a proper and legitimate manner.

179. But while the constitution, under Providence, is our only bond and guide in these perilous times, we must cling to it; we must submit to it; we must

not discard it; we must not touch it with unhallowed hands, but hold it sacred and binding as much so, as if it came to us from the hands of the great Giver, along with the decalogue, amid the thunders and the smoke of Sinai.

NO. 8.

SOCIAL DUTIES.

"In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars (religion and morality) of human happiness, these firmest props of the duties of men and citizens."—[WASHINGTON'S FAREWELL ADDRESS.]

1. MAN is a social being. This is proven by the fact that society is needful for the development of his latent powers and faculties, moral and intellectual.

It is proven by the gift of intelligence, of benevolence and justice, and of speech. By the helplessness of his infancy, and the love of kindred, which binds, as with a golden chain, families, and tribes, and nations.

In fine, man can only attain to the full development and perfection of his natural powers as a social being.

2. This social character of man re-

quires that rules be established for the regulation of social intercourse; rules which are in accordance with justice and right, with the true law of human brotherhood, and that a power be provided for their certain enforcement.

These rules, and this power, constitute the civil government of a country. Hence, however established, civil governments are a necessity,—such a necessity as makes them institutions in the order or plan of Providence; institutions which, when established in accordance with reason and natural law, (which is but another name for divine law,) are to be considered as exponents of the will of Providence, and are to be respected and obeyed accordingly.

3. Mankind have not hitherto been successful in their efforts to establish the best form of civil government. The nearest approach to the true form has been made in our own country within

the last hundred years; but superior as our system of government is to all others, it is, as was shown in our last number, defective or imperfect in some important particulars.

4. To organize and to maintain a right government requires, in the majority of the governed, a degree of intellectual and moral elevation, which seems never to have been attained hitherto by any people.

The majority principle, which, with some exceptions, is recognized in all of our political and social institutions, has had a beneficial influence in giving to our country a degree of prosperity and means of happiness to which the world elsewhere, in all of its history, presents no parallel.

5. It follows from the preceding, and from what has been said in a previous number of the nature or character of civil government, that when once proper-

established, it has the highest of all possible claim to support, and hence rebellion or forcible resistance to it becomes a crime of the darkest dye.

Rebellion against a government founded and administered upon the immutable principles of justice and of human rights is rebellion against God!

6. To sustain such a government man must be elevated and improved. His intellectual and moral powers must be cultivated and developed. Where this result is effected in the people of a nation, in the highest degree, that people or nation are entitled to be considered as the most civilized.

7. As a people advance in civilization, their condition individually is improved. They possess more of the comforts and refinements of life, and this improvement continues, so long as there is a healthy advance in what constitutes true civilization.

Under such an advance and enjoyment of the comforts and pleasures of life the population naturally increases, and to meet the wants of this increase there is at the same time an increase in the products of labor.

8. These latter are augmented by the causes which follow an improved condition of society, viz.: by what is termed the division of labor; by the concentration of capital for public use in corporations; by the intelligent and more extended use of the mechanical and chemical powers; by improved means of transit and exchange of commodities, and transmission of intelligence; by the saving of labor caused by a properly arranged system of credits; by the full and more economical use of the power derivable from water in its descent to the ocean, and the force derivable from the air in motion; by the power of electricity and galvanism; by heat when applied to the expansion of vapor and of

and other gases; and by greater industry and a more faithful and conscientious performance of his social duties by man himself.

9. All of these aids to man's labor, and others which can not now be specified, are the natural and sure result of the advance of society to a higher civilization, and it is thus that the wants of an increasing population are supplied, and hence the evils predicted by writers on political economy to arise from an increase in the population, are, to a very considerable extent, more fanciful than real.

10. The changes thus described as consequent upon an improved social condition bind the interests of men more closely in society, and make them as individuals and as nations more dependent upon each other —a dependence which demands great integrity and uprightness, and a just sense of moral obligation in men in their dealings with each other.

Without these qualities, possessed in a high degree, the great benefit to be derived from the powerful agencies of bodies corporate, and a well arranged system of credits, and exchanges, and other concomitants of a higher civilization, can not be realized.

11. It demands that men shall not only be able clearly to comprehend their own rights and the claims of others, but shall *voluntarily* and *without constraint* yield to others all that is their just due. Without this sense of right and obligation, and disposition to fulfill every moral and social duty practically manifested, the close relation to and dependence of men upon each other under an improved social condition, leads or rather tends unavoidably under any form of government to an undue control by a few over the labor of the many.

12. It leads, under a free government, to class distinctions and divisions, founded upon wealth, to that undesired conditio

of things by which the rich become richer and the poor relatively poorer.

Under other forms of government it leads to distinctions and claims to exclusiveness, founded both upon wealth and lineage, separate or combined.

13. At this stage, if the proper corrective has not been applied, or if the proper moral status has not been attained, further advance in civilization ceases, and society after a period of ineffectual struggles relapses, slowly at first, but afterwards more rapidly, to its original imperfect condition.

14. This is the unavoidable and inevitable result, however good the government, in all cases where man's advancement in wealth and prosperity is not accompanied with a corresponding improvement in his moral condition; and by the latter is meant such an improvement as will induce men to deal truthfully and kindly with each other; to lay aside the distrust and selfishness of their uncivilized and unchristian-

ized natures, and *voluntarily* aid in giving and securing to each individual his just share in the product of all labor, his just rights, and his due consideration as a brother in the great family of God.

15. This latter change can not be effected by any form of social organization or of civil government. The rules of society, however perfect they may be, are wholly inadequate and incompetent to secure to man that elevated condition to which he is capable of attaining. They are simply auxiliaries in the great work, and, as such, should be prepared with the utmost care, avoiding (as far as it can be done consistent with strict justice) all such as serve to increase rather than lessen the inequalities in the property interests of men.

Our own excellent form of government, superior as it undoubtedly is, can only be sustained by a high degree of excellence in the intellectual and moral condition of our people; and when yielding all the good

of which it is capable, falls immeasurably short of what is requisite for man's highest wellbeing.

16. We repeat that civil government can not be made the sole, or the chief effective agent in humanizing and civilizing man, but it should not be as now and as heretofore, under most of its forms, an obstacle to his improvement. There is, in truth, no machinery of man's device that can make him what he should be, and what he is capable of being, even in this life. Legislation or governmental enactments, however perfect and unexceptionable, can not do it. Man must be brought to a better and higher sense of what are his moral and social duties; must have a juster and clearer view of his obligations to his fellow-man and to his Creator. His soul must be awakened to a new life, to a new sense of the nature and responsibilities of life. His mind must be cultivated and elevated, but above all his heart must

be purified and warmed with that divine love which will cause it to beat kindly and justly towards his fellow-man.

17. A change so great as this can not be effected suddenly. It is the work of years—may be of centuries. Man's present improved condition in the portions of the world most civilized, is the result, under Providence, of centuries of the patient persevering labor of the good men of the past, and centuries more may roll by before the large majority, in the most civilized portions, shall be found doing their whole duty, as members of the same great family, as children of the same Father.

18. It will be obvious from these premises that the main reliance for man's elevation is in his ability to comprehend, and in his willingness to obey the great law of justice and brotherly kindness.

As man approaches this improved condition, material prosperity, which is to follow, loses its power to harm; bu

prosperity, without the concomitant of a truly Christian life pervading the entire of society, is incapable of ensuring the general happiness.

The evils which prosperity engenders, if not corrected or counteracted by an improvement in man's better nature, will leave him in a worse condition than before he experienced the smiles of fortune.

19. It has been stated that political writers have anticipated great evil to result from an increase in the population, through fear of a deficiency in the means of subsistence.

It will be seen that the evil most to be feared comes not so much from that source as from the difficulty, not to say impossibility, of causing the improvement in man's higher and better nature, to keep pace with his advancement in other respects.

20. Worldly prosperity, so long as the selfish principle reigns supreme, does not conduce to the general good, but, on the

contrary, has a positively adverse tendency, and eventually leads to the depression of the many, and the conferring of undeserved wealth and power on the few, and to general degeneracy, deterioration, and decay.

The teachings of history and the experience of every man who has seen much of life, combine to show that no good or lasting improvement in man's condition can be effected except by a faithful compliance, on the part of individuals, in letter and in spirit, with the golden rule.

21. Of all the means and appliances for promoting a higher civilization, those which are addressed to the mind and heart of man are the most effective and important. These should begin with the life of the individual, and cease only when life has become extinct. By the family hearth and at the family altar the heart of the child should be gently lifted and drawn in love and reverence to Him whose power created

and sustains all things, and whose wisdom and goodness is every where manifest in His works.

22. Not the family hearths only, but the schools also, like the pulpits, should be sanctuaries of truth. The development of those nobler qualities, the germs of which are in every living human soul, should go hand in hand with intellectual culture. Every step in the educational progress of the individual should expand the trustful kindly feelings of his heart, should develop every good quality of his nature to the symmetry and the beauty of a perfect manhood. Our duties in these particulars as American citizens have been sadly neglected, a neglect which if persisted in will bring with it an inevitable crop of bitter fruit to be reaped by our posterity if not by ourselves.

23. This, then, is the great work which man is called upon to perform.

First. The establishment, upon the

right basis, of civil government, so organized that the voice of the majority shall, as nearly as practicable, be fully and fairly expressed, and thus remove the impediments to man's progress or improvement, which are inseparable from all other forms of government.

Secondly. By unceasing effort on the part of each individual, to strive to attain, in himself, to the divine standard, in the higher qualities of the mind and heart, and to effect by all proper means the same result in the minds and hearts of others.

24. The first, it has been seen, has been in good measure attained in this country, in the free government with which we are blessed, and must be maintained by great vigilance, and occasional sacrifices, such as we are now making,—sacrifices which are made upon the altar of humanity, and which are teaching us the important truth, that it requires a ver-

much higher moral and intellectual condition of society, to maintain, than to build up, a republic.

25. The establishment of a good government is only a preparation for the greater work that is to follow. It is only the removal of the rubbish and other impediments to the erection and proper adornment of the great structure of man's civilization, and towards the accomplishment of which every one is expected and required, by the Great Builder, to contribute his best efforts.

So rapid is the advance in material prosperity, under a government of the best form, that the most strenuous efforts, wisely directed, are needed to keep up the moral and religious character of society to the required standard.

26. A free government of as perfect a character as possible being established, the great work of civilization, we repeat, is only, as it were, just begun.

It must then be carried on, not by governmental force, not by statutory enactments, but by unremitting efforts to inculcate and render practical and universal the great law of justice and brotherly love, that golden bond which grows stronger and brighter just in proportion as society advances, as it attains a more perfect condition.

27. The Church of Christ is the great instrumentality for effecting this change. All other organizations and associations for man's improvement socially, are, in comparison with it, of small account.

All schemes for man's elevation in the scale of being, not founded upon that greatest of laws, on which hangs all the law and the prophets, are futile.

28. This great law should be taught and promulgated and practiced every where, at all times, in all places, by all ages, and its observance sedulously enjoined as the great means, under Provi-

dence, for the elevation and salvation of our race.

29. All other systems, including the many forms of socialism, to which the brains of visionary reformers have given birth, are impotent and unavailing in comparison with it. They are not only impotent for good, but they are positively hurtful.

Without the beacon light from on high to guide them, the nations will still go

> "groping on their way,
> Stumbling and falling into disastrous night."

30. A church founded upon and radiant with the doctrines and example of Christ, and its natural offspring a free government, are all-sufficient. They are in fact inseparable and essential, and are entitled to, and most imperatively demand, man's first consideration and support, and if our duty individually to both s properly performed, we shall find that

we have neither time nor occasion to seek the questionable aid of other associations, founded not in God's wisdom, but in man's weakness and folly. If we earnestly and anxiously desire true and permanent advancement in whatever leads to happiness and the improvement of our social relations and condition in this life, we must individually and as a people discountenance all other associations than those named, as a principal means of attaining the desired end.

31. Our duties in society, duties alike binding upon all, and from the performance of which no one is at liberty to shrink, are therefore two-fold; to the government, and to the church. To the latter as distinct and separate from the former, avoiding any organic union of the two, and giving no countenance to sectarianism founded upon conventional forms of doubtful utility and not clearly traceable to an authentic source, or upo-

obscure and doubtful interpretations of the divine word,—an obscurity in itself proof that what is thus veiled is not essential, and becomes sinful when it constitutes a bar to Christian unity and co-operation in the great work of the world's civilization.

32. As members of both the institutions named, great responsibilities devolve upon us. All associations outside of these, having a similar object, do more harm than good.

They do harm, because they occupy the time and the means which should be given to more important duties, and because they are easily perverted to the selfish purposes of the ambitious and the unprincipled.

33. If they have the character of secret associations, they become still more dangerous and objectionable, and trebly so, if in addition to their secret character they are established for political purposes.

All such associations are, under a free government, a deadly poison to the body politic, and the being a member of such should be denounced as a crime, as an offence against society of the most serious character, for the commission of which, it would be a mild punishment to take from the guilty party his civil rights.

34. One of the most illustrious of the founders of our government wisely said, that "error of opinion might safely be tolerated, if reason be left free to combat it." Of what avail are the efforts of reason to correct what is shrouded from the public eye, in the secret conclave?

That such institutions do exist in our country, is one of the portentous signs of the times. We must frown down, and purge society of all such, if we expect to preserve our free government, and make solid advances in civilization.

35. In the catalogue of truths, the knowledge of which is essential to man's

well-being, there are some which claim the pre-eminence.

Foremost in the list is that *Golden Rule*, discerned dimly in the ages before, but which required to be enunciated from the lips of a crucified Saviour, to impart to it the force and vigor and respect necessary to regenerate the world.

36. Man's relation to his Creator, the common Father of all, places him under obligations to his fellow-men, which become more and more obvious, just in proportion as his nature is elevated and improved.

In his uncultivated state, he is selfish, revengeful, almost brutal, to a degree in which it is difficult to recognize in his moral and intellectual lineaments the image of his Maker.

37. Education, including especially the culture of his nobler powers, is as essential to him as food, or raiment, or shelter; though under the influence of such

culture, he gradually takes a higher position in the scale of being, yet his infirmities still cling to him in a greater or less degree, so that, while he can not expect to become in this life equal to the angels, he may, nevertheless, attain an elevation far above his status in the present or any past period of the world's history.

38. Man's selfishness in his uncultivated state is not without some resulting benefit, since it is by reason of his first care, each for his individual self, that the wellbeing of all, in a low moral condition of society, is as well secured as it is.

Selfishness, however, when not restrained by the reason and the higher sentiments, leads the weak and dependent, as well as the strong, to encroach upon the rights of others. Those who are strong, are, in particular, influenced by it to forget right, or to pay no heed to its dictates.

39. To limit the mischief and the

wrongs caused by the selfishness and ignorance of men, laws, as we have stated, are enacted, and courts are established to interpret those laws and administer justice, but the ends aimed at are very imperfectly attained.

40. Civil government is not a remedy for the evils which afflict society.

It restrains evil, but does not remove it. By force it maintains order and quiet, and while it does this, its powers are often perverted and abused by the vicious and unprincipled, so that, beneath them as a cloak, very much of wrong is often perpetrated.

41. Man will never reach the perfection in this world, of which his nature is capable, until he is so far cultivated and improved as to see and understand that he can not do wrong with impunity, in cases where there is no civil law to prohibit, or civil power to punish, and until these restraints shall cease to be essential in inducing a correct moral conduct.

He must also see and understand clearly, that while the laws of the land may not always be a true measure of right, he must not do, nor cause to be done, that which those laws prohibit.

42. Wherever such laws exist and are established or assented to by the majority of those qualified to act, they must be respected and obeyed, not because they are of man's make, but because laws thus established are the declarations of the will of Providence for man's guidance, in the manner in which Providence chooses to make known His will.

43. They are obligatory as far as they go, because they are expressions of God's will, and they are expressions of his will just as clearly as that civil government, which all know to be essential, is an expression of his will. This is the true character of civil government and of all our written or statute laws, but while we concede all this, we can not be too deeply

impressed with the truth that the best constituted civil government is a very imperfect means of compelling man to the performance of his social duties.

44. It is only under the benign and heaven-born influence of the great law of justice and love that the just claims and rights of the less fortunate and weaker and most numerous portion of society will ever be secured, and without such security there can be no very near approach to a really high state of civilization.

45. It is not very difficult to discover that man, in fulfillment of the design of Providence, is entitled as a necessity and consequence of his being, to food, to clothing, and to shelter, or a home, to which may be added education, and the comforts and common enjoyments of life, and he is entitled to them to that degree which will conduce most to the full and perfect development of his manhood, in

all its phases, physically, intellectually and morally, or religiously. That is to say, he is thus entitled in common with others whose conduct morally and religiously is unexceptionable, and who, like himself, are laboring faithfully and to the best of their ability, for their own support and for the good of others.

46. In other words, each individual is justly entitled, by his equal relation to the Creator who made and sustains him, and to the earth on whose bosom he is cast, and from whence he must receive support and nourishment, to a fair participation, for the purposes named, in the fruits of the earth, and the products of human labor and skill, provided he performs his part to the extent of his ability in procuring those fruits and products, and provided also, that he has not by some neglect of duty, misconduct or offence against society, forfeited his claim to social equality.

47. The divine law presents these claims and obligations in a clearer and more emphatic light, and makes the observance of them a matter of love, as well as duty.

Those indulgencies and enjoyments which are appropriately ranked under the head of the luxuries of life, which are in their nature hurtful, which injure both health and morals, and impede or obstruct the full development of man's powers in the right direction, no one has a right to them, but each individual is bound to abstain from indulgence in them.

48. Although all men exist by virtue of the same general laws, and have an equal claim, if claim it can be called, upon a creating Providence, for whatever is needful to the full growth and development of their manhood, yet the circumstances and conditions of individual differ, and they are never long the

same with the same individual, but vary with the varying circumstances of life.

These differing circumstances, which are in a great degree beyond man's control, produce inequalities in the condition of men which are unavoidable, and under the influence of which, man suffers and enjoys through all the various degrees of pain and pleasure of which his nature is susceptible.

49. While very much of the pain which man suffers, or of the misfortunes that befall him, proceed from causes which could not be foreseen or guarded against, yet it can not be denied, that much of which he is called upon to suffer is the consequence of his want of knowledge, of his neglect to improve the powers which his Creator has given him, or his abuse of those powers.

This is true in countries the most civilized and enlightened, and in all, the framework of society is so imperfectly

arranged and defective, as to be the cause, directly or indirectly, of much of the suffering and ignorance and low moral sense which prevails.

50. These evils are all very greatly increased and aggravated by the unequal distribution of the comforts of life. Poverty, or the fear of poverty and want, is probably one of the most fruitful causes of the evils that afflict society. To assist in the removal of this cause, as far as it is practicable to remove it, is the duty of all. More than this, those who suffer because fortune has failed to smile upon their endeavors, and that from no fault of their own, have a claim for assistance, of the most sacred character, upon those of their fellow men who are more fortunate,—assistance which must not cease with satisfying the physical wants, but their intellectual and moral and religious wants as well. These claims we do not expect will be acknowl-

edged or be regarded practically to the extent we have assumed, until such time as the public mind and conscience shall be more thoroughly enlightened in respect to man's social duties.

51. It is a practical and logical sequence to the great command to "love thy neighbor as thyself," to assume, that all who are equally virtuous, industrious, and good, are entitled to an equal share of the produce of the fruits of the earth, and of human labor. That in food, in clothing, in shelter, and in education, and in the comforts and refinements of life, there should be, as far as possible, no discrimination. All should have the culture needful for religious, moral and intellectual improvement,—should have leisure alike for recreation and relaxation,—should be alike respectably clad, and possess the same home comforts, to be enjoyed without fear of losing them

so long as their social duties are properly and faithfully performed.

52. However desirable so great a reform in society may be, we are not so unreasonable as to suppose that it can be effected, except approximately, and by slow degrees.

It must come gradually like the approach of summer, after a winter of storms and snows, just so fast, and no faster, as men are awakened to a true sense of what are their social duties.

53. Men must see that these duties consist in justice, charity, a right estimation of the character and value of labor, not appropriating more of its products to their own use and comfort than is their just due, not misapplying it, and combining with all an implicit submission and obedience to the laws of the land.

54. Those who may comprehend clearly the truth of the principles we are advocating, and who have been fortunate

beyond their fellows in accumulating wealth, or what is the same thing, in acquiring the means of appropriating, as they may think proper, the products of the labor of others to large amounts, may be at loss to know how to act so as best to perform their duty.

55. Of course each individual must, in such a case, do as his best judgment and conscience shall direct, but we may offer a few rules for guidance, in particular cases, which may be of service.

First, as to how much of his means a man can properly and justly appropriate to the use of himself and family.

As a faithful steward, and one desirous of complying with God's great law by giving of his abundance to those of his fellow men who are less fortunate, he must estimate, as nearly as possible, how much of his possessions he may rightfully reserve for his own use and comfort, were his fellow-men to do, as all should do, or

as all are required to do, under the golden rule.

56. Having satisfied himself as to how much he may justly retain for his own use and benefit and those dependent upon him, making reasonable allowance for losses from unforeseen causes, not forgetting that it is the duty of every one, having the power, to relieve suffering in all cases where the necessity is great, even if in doing so it is necessary to transcend the limits above prescribed, he is next to consider how properly to dispose of the remainder.

57. To find the poor and destitute it is never necessary to look far, for "the poor ye have always with you." Towards the most suffering and deserving of these our bounty should flow the most freely, remembering to give aid in all cases with judgment, and only after careful investigation, that none may suffer who are truly deserving.

There should be no thoughtless benevolence, none of that benevolence which gives to the laboring poor employment of a character which does not conduce in the highest degree to public or individual good. Those who are blessed with large means for the purpose may erect substantial, comfortable, moderate sized dwellings, in pleasant, healthy locations, giving to each dwelling suitable ground for a garden, and rent them at low rates to the poor, and provide, when their lives are closed, that the dwellings shall continue to be so rented, but only to the virtuous and deserving.

58. Externals have a great influence upon character and conduct. The dress we wear and the house we live in, if respectable in appearance, will produce a corresponding effect upon conduct.

In the one case, although poor, we still feel, especially if we have once seen better days, that we can associate with those wh

are more fortunate, and our self-respect and ambition are preserved.

In the other case being constantly reminded, by our changed appearance, of our misfortunes, we shun society, disappointment and despondency are the consequence, and instead of renewed efforts to escape from our fallen condition, we give up in despair to a fate we imagine we can not avoid.

59. There is probably no wiser or better mode of aiding the deserving poor than that which contemplates the erection, for their use, of tenements, as suggested, which they can occupy at low rates. The great desideratum is to secure to every family a respectable and comfortable home; a home which can be enjoyed and cherished as such; a home where the right moral culture in infancy and childhood may be ensured, and manhood be developed in its greatest strength and beauty.

60. Such a provision for the poor will

conduce greatly to the improvement of man's social condition.

A comfortable and well looking home will stimulate its tenants to neatness and order. The garden will afford occupation for leisure hours, that would otherwise be spent in the company of the idle or dissolute. Its floral beauties will preach to the household the kindness of Providence, and help greatly to purify the moral atmosphere; respectability of character will follow, when, without such incentives, a contrary effect might result.

61. The erection of the tenements we advocate should not be entrusted to the honesty or integrity of executors. It is the duty of all to see, during their lives, that their charities are properly applied.

It is one of the saddest of sights to behold as we do, particularly in our larger cities, so many families without homes—without any of the blessed comforts and associations and endearments of home

and without a place even to lay their dead in ground appropriated to their separate use. The potter's field which swallows up so large a portion of the population of our cities, and the wild and heathen-like extravagance to be seen in our Greenwoods and Mount Auburns, are alike a disgrace to the age and nation in which we live. They are another of the many proofs that we are still, with all our boasted intelligence, on the confines of barbarism.

62. Other methods of aiding the less fortunate and of doing good may be found, such as the erection of school-houses in pleasant and healthy locations, the formation of libraries and erection of buildings for their use, and the erection of houses for public worship; of asylums for the unfortunate; of hospitals and houses of reformation and refuge. All these are proper objects for charity, but beyond the purchase of the necessary land, and the erection of buildings of a permanent char-

acter, and supplying them with furniture and libraries and other objects of a similar character, it is not proper to go.

63. Endowments, the income of which is to support professorships or superintendents, or to defray the current expenses of institutions of a benevolent and public character, are objectionable, for the reason that by an unfortunate investment of the principal, or unfaithfulness of trustees, the charity may be lost. They are objectionable also for the reason that incompetent or unworthy men too often get possession of such livings, and the good intended to be produced is not attained, but, in place of it, temptation is offered to crime.

64. Endowments of religious institutions, the income only of which is to be used, are especially objectionable for the reasons stated, and because they constitute a premium for hypocrisy, and serve to corrupt an institution which, of all of should be free from the temptations

might lure the unprincipled into its sanctuaries.

65. It is not requiring too much for each generation to defray the cost of properly maintaining all institutions whose object is the amelioration and improvement of the condition of mankind. Justice and sound policy demand that each generation shall, in its day, contribute whatever is needful for the current expenses of all benevolent and religious institutions, and shall not limit their contributions to interest or income only, when the principal should be at once appropriated to such objects.

66. To take from the living that which is rightfully their due and place it where it may or may not benefit those who have not yet come upon the stage of existence is clearly unjust and impolitic. It is an injury to society by depriving it of present means of comfort or improvement, and thus lessening its power of conferring upon

the generations coming after a greater blessing than can possibly be transmitted in the amount of interest upon capital, however well or safely invested.

67. The endowment of institutions of the character named, where the interest only is to be used, is indeed attended with such danger of injury to society as to justify the interference of the civil power to prevent and render invalid all such endowments.

68. It is the tendency of all organizations having property interests to a large amount to ally themselves with, or to favor by their influence, that form of government which is deemed to be the strongest, even to the positive injury of the general interests of society and of mankind, and hence all such organizations should be discountenanced. It is not right to presume that the generations of the future will not each in its turn do its duty and its whole duty in contributing to the wants and

the claims of the suffering and deserving of their own time. Neither is it right to lay obstacles in the pathway of truth by clothing with a perpetual power for mischief institutions established in the dim light of the past or the present, and founded in error.

The world is at this moment and in all of its past history full of evidence of the correctness of the views here advanced.

69. The wealth which individuals may possess over and above what is needful and proper for their own use should be applied in a manner to produce the greatest present good.

If invested in buildings, whether for public or private use, architectural extravagance and folly should be studiously avoided. Outside appearance, while it should be tasteful and symmetrical, should not be solely consulted to the neglect of interior arrangements for comfort and use. Light and ventilation and a supply of pure

water are essential, as is also economy of heating in the colder climates. It is probably a true saying that more of the avails of human labor have been wasted upon architecture, public and private, on the land and upon the sea, than in all of the wars and all of the conflagrations that have ever occurred.

70. This waste has been apparent every where, in the cities and in the country, on our inland waters and upon the ocean. It has been seen in the destruction of comfortable and substantial buildings, to give place to others possessing a more gorgeous appearance,—in the wanton and useless expense incurred in external and internal embellishments,—in the erection of the most ornate and costly buildings for mere places of business in our cities, or for private residences in both city and country, and in the filling of the latter with furniture of palatial splendor.

71. If we add to all this the long array of extravagancies in equipages, in dress, in sumptuous living, in costly entertainments to gratify the lower passions, in the worse than beastly use of narcotics and stimulants, and a long catalogue of minor offences, we shall have a mass of folly and stupidity, and of guilt, in this our land, which we call by the name of Christian, almost, if not quite, sufficient to justify the fate which befell the cities of the Syrian plain. And this wanton and sinful waste and extravagance, and neglect of the claims of the unfortunate, is practiced by thousands, and by tens and even hundreds of thousands, who profess to be Christian men and women; is practiced by those who daily insult the ear of the Most High with petitions for their own daily bread.

72. These things show how little the people of the present day, and in our own country, have advanced in what constitutes true civilization.

They show that, notwithstanding the great progress made in the sciences and in the arts, and in material prosperity under our free institutions, we are yet groping in the thick darkness of barbarism, in that which pertains to our highest wellbeing.

73. This great guilt is now weighing heavily upon us as a people. It is producing its legitimate fruits, in our present unhappy condition as a nation,—in the destruction of fortunes, and in the misery and suffering which must follow in the train of the terrible contest in which we are now engaged for the preservation of the national life.

74. This immense waste and extravagance is caused by those whom Providence has temporarily entrusted with a control over the labor of others,—a control designed to be exercised for a very different purpose. It has been caused, too, while tens and hundreds of thou-

sands of our fellow-creatures have been suffering at our very doors for the want of comfortable homes, for the want of moral and intellectual training, for the want of the common enjoyments of life, and for the want even of decent food and raiment.

75. This extravagance and waste on the one hand, and, on the other, neglect of the claims of humanity, must, as sure as there is a power above to punish sin, meet with its just reward. The control which circumstances give to men over human labor, is a trust from heaven. It can not be violated without incurring the just displeasure of the Almighty.

76. There has been within the last half-century, in certain portions of the globe, a great improvement in the social condition of man. This improvement is particularly marked in our own country, a result, in part, of the good effect of our civil institutions, but mainly, of the

religious and moral character of our people.

77. Less than sixty years since, men within the limits of the United States, and of New England even, were punished for offences against society, by being branded with hot irons, by having their ears cropped and bored, and their naked bodies scourged at the whipping-post.

It is less than that time since the unfortunate debtor was incarcerated in a loathsome jail, with thieves and maniacs for his companions, and there kept until released by death, or payment of his debts was extorted from sympathizing relatives and friends.

78. Our laws for the protection and support of the poor, although much improved from former years, and more perfect than those of most other countries, are at this time greatly discreditable to us as a people.

In proof of this, we have but to co

sider the property which a poor debtor and his family are permitted to retain exempt from execution in one of the most enlightened of the states of the Union.

1. "Wearing apparel, bedding, &c., necessary to support life," (these are the words,) say, - - $150
2. Implements of trade, - - 60
3. Live-stock and hay, - - 140
4. Wood and charcoal, - - 18
5. Mineral coal, - - - - 27
6. Flour, grain and vegetables, 57
7. Meat and fish, - - - 88
8. Wool and flax, - - - 38
9. Stove and pipe, - - - 40

The above is all that the Christian civilization of the people of Connecticut allows to be retained from the grasp of an iron-hearted creditor, no matter what the ability of the family to support themselves, or their previous habits of living, ...nding in society.

79. This provision for the unfortunate poor amounts altogether at present prices of the articles enumerated, to less than $600 for each family, large or small, and it discriminates, unjustly, between the poor of the country and the city, giving more to the former than to the latter, for of what use is live-stock, and hay, and wood, and wool, and flax, to the poor of the cities?

80. The laws of Connecticut allow no roof to shelter—no home for the destitute. They make poverty a crime, and take from it the means of escape from its toils, and rob man of all incentives to efforts to extricate himself from his fallen condition.

81. The poor-debtor law of New York is a little more christian in character, inasmuch as it exempts from execution a lot and building, the actual residence of the debtor, provided the value does not exceed the small sum of one thousand

dollars, and it exempts also the family bible, and school and other books to the value of fifty dollars.

82. In the new states of the west the unfortunate poor are in general still better cared for, but in all, notwithstanding as a people we are, in our treatment of the poor, greatly in advance of most civilized nations, we are yet lamentably deficient in a practical exemplification of our duties to the unfortunate, and especially to the females and children among the poor of our land.

83. Our statute laws by their unmerciful and unchristian treatment of the poor, are doing for the destruction of morals, as much, nearly, as the Christian Church is doing for their preservation. The power which they give to the heartless creditor over the unfortunate debtor, drives men to the practice of all sorts of deceptions to screen their property from attachment or sacrifice, and forces both

sexes into practices for the preservation of life, against which their better natures revolt.

The proofs of these sad effects of indifference to the claims of the poor, are abundant every where, and when we understand truly the condition into which the laws and the neglect of society have placed them, our wonder is excited, that there remains with them so much of virtue, and so little of acerbity of feeling toward the cold world around them.

84. If we take our statute-books as evidence, we have only advanced just so far in our knowledge of our obligations to our fellow-men, as to concede that the unfortunate poor are entitled at the hands of the more fortunate to so much of raiment and food as is necessary, for the time being, for the support of life. We have yet to learn that the moral and religious and intellectual wants of the poor and deserving, demand relief at or

hands and that such are entitled also to comfortable homes and the common enjoyments of life.

85. Charity is a great and solemn duty. To withhold aid from the deserving poor is to rob them of what, in truth, is their just due. If those who are more fortunate neglect or refuse to extend the required relief to the suffering, from the abundance with which they have been blessed, they violate both natural and divine law,—such men are the Ishmaelites of society, and belong to that unworthy class who get their support and enjoyments by depredating upon the rights and the labor of others.

86. The man of wealth is always largely in debt. His creditors are the worthy among the poor and needy. The laws of the land can not compel him to do his duty, but the law of nature and of God commands him, under the severest penalty, the penalty of a tortured

soul in the life to come, not to withhold, from its rightful owners, the abundance which fortune or Providence has placed in his hands.

87. Man must not only make a right and proper and christian use of the products of labor under his control, and of his power over labor, but he must labor himself to the best of his ability, and in a manner to be productive of the most good.

Life implies the ability to do and to perform. Where there is life there must be wôrk, otherwise life is given in vain. Even the Highest is not exempt. "The firmament showeth His handy work." "The Heavens are the work of His fingers." "My Father worketh hitherto, and I work." "I must work the work of Him that sent me, while it is day; for the night cometh, when no man can work."

88. Throughout the entire compass of

life, work is expected as its proper and legitimate fruit. The life which does not produce its proper fruit, or which produces only evil fruit, has no claim to protection, no claim to continuance.

The dead tree which is cut down because it cumbers the ground, is less hurtful than such a life, for the latter, while it gives no return, is drawing upon the world for its support.

89. Heaven in giving life to man expects from man whatever the power thus bestowed can effect towards the general good. It expects from all mental and bodily labor to the extent of the ability of each without distinction of rank or calling, and requires that such labor shall be rightly and properly directed.

"God does not need either man's work, or His own gifts," but he expects from man, nevertheless, all that man is capable, under the powers given him, of effecting for the best good of all. "Six

days *shalt* thou labor," is his positive command.

To allow these powers to remain idle, is to disobey and treat with disrespect Him who sits upon the throne of the Heavens; and to employ them in active and open or covert hostility to whatever is good, is a defiance of God's authority and power, a crime which transforms men as well as angels into devils.

90. Man's labor, therefore, when directed to useful and worthy ends, is not only honorable, but is in fulfillment of a high and sacred duty, and the fruit of such labor is in consequence sacred. To wantonly waste or to unjustly appropriate the products of labor, is as criminal in the sight of heaven, as to wantonly waste and destroy life. The two are convertible, and the individual who violates this law commits a crime against society, and against heaven, which is near akin to homicide or murder, and the crime is

only lessened in degree, if, instead of destroying the products of labor, we misapply them or fail to realize such products through inactivity or idleness.

91. In useful, honest labor, and the practice of the virtues, consists the true nobility of man. These form the only correct measure of character and of standing in society. From each individual, positive good, or efforts to effect good, are expected to the extent of his ability, and, when this is rendered, the individual is entitled to respect and honor.

92. Industry is a chief cardinal virtue, and should be honored accordingly, and this honor should have no regard to the calling, provided, it is useful and adapted to the capacity of the individual.

93. The duty to labor is very indifferently performed by many, by some not performed at all, and by others so performed as to produce a result worse than

idleness itself, which is one of the most heinous of sins.

94. If one man has natural powers superior to another, whether intellectual or physical, or if, by reason of superior advantages of education, he possesses superior knowledge, and if the value of his labor is thereby enhanced, he is not in consequence entitled to any greater reward. His superiority places upon him greater responsibility, and more is rightfully demanded of him.

95. The duties of men in society are various. Each should seek to fill the place for which his powers are best adapted, and if all are employed, each to the best of his or her knowledge or ability, all are entitled to share alike in the product of their joint labors, and to equal respect.

96. Men should be educated not that they may, by means of their superior knowledge, more successfully prey upon

and appropriate the labor of others, but that they may possess the power of rendering their lives more valuable to the world; in other words, that they may be able to do the greatest amount of good.

97. All experience shows, that while as a general rule, prosperity, so far as regards the accumulation of worldly goods is more sure to attend those who are industrious and worthy members of society, yet it is well known that circumstances, over which we have no control, exert often a very great influence in reducing to poverty or raising to affluence. Capricious fortune showers her favors often upon the indolent and unworthy, and riches take to themselves wings, and so suddenly that the sun at its setting looks upon destitution, where, at its rising, there was abundance.

98. There are also causes powerful in their nature, and beyond individual control, which operate to create disparity in

the conditions of men. This is apparent in civilized communities under the best systems of division of labor, and it is especially apparent in all those large portions of the globe which are indifferently or insufficiently supplied with water from the clouds for the successful cultivation of the soil. In such regions where irrigation becomes essential, the main channels of supply naturally and unavoidably fall into the possession of the few who have capital, and who, holding the labor of the many at their mercy, create a dependence of labor upon capital more oppressive often than that slavery which makes the person of the laborer or his services for life the property of another.

99. So much of the entire surface of the globe is in that condition which precludes the possibility of irrigation direct from the clouds, and the cultivation of the soil is every where so important, that this subject is one of the deepest interest

to mankind, and should not be overlooked, as it has been by writers upon political science.

100. That portion of Asia which was the theater of the teachings of those from whom we derive the inspired record, possessing, as it does, a physical character such as we are considering, explains the absence in that record of denunciations of a servitude which was in a measure the result of climate, and the earnestness with which, upon almost every page, the observance of the golden rule is inculcated.

101. No written rules or laws of society can ensure to each individual a just participation in the fruits of labor, but government, in its action, should carefully abstain from the enactment of laws which tend to increase the inequalities in the condition of men, and so direct its powers that those inequalities will

not be as great as they otherwise would be.

102. The world presents to us the spectacle of daily toil, of poverty and suffering, on the one hand, and on the other, luxurious ease, comfort, and indulgence, while between, are the intermediate grades of labor and enjoyment, varying with all the varying conditions of life.

103. So different are the conditions of men, and so great is the power which wealth and station confers, and so helpless the condition of those who depend upon their daily labor for their daily bread, that the divine injunction of all to labor, is accompanied with the command to rest and keep holy every seventh day, and with the severest denunciations of those who unjustly use the power they possess to oppress others.

104. "I will be a swift witness against those that oppress," &c. (Mal. 3 : 5

"The wicked have drawn out the sword and have bent their bow to cast down the poor and needy." "Their sword shall enter into their own breast and their bows shall be broken." (Ps. 37: 14–15.) The Lord will enter into judgment with those who despoil and grind the faces of the poor. (Isa. 3: 14–15.) The oppressor of the poor and needy, and who spoileth his brother by violence, shall die in his iniquity. (Ezek. 18: 12 to 18.) "The people of the land have used oppression and exercised robbery, and have vexed the poor and needy." * * * "Therefore have I poured out mine indignation upon them, I have consumed them with the fire of my wrath." (Ezek. 22: 29, 31.) Because of their oppression of the widows, the fatherless and the poor, there came a great wrath from the Lord of Hosts, and scattered them (the Israelites) as with a whirlwind among all nations, and their land was

left desolate. (Zech. 7: 10 to 14.) In Job, the heritage of oppressors is described: "The heavens shall reveal their iniquity, and the earth shall rise up against them." Their fate is fearful, "God will not spare them."

105. It is obvious to the most careless observer, that a very large portion of mankind do not contribute, by the labor of their hands or brains, their due proportion of effort for the support of the whole. Drones and idlers, innumerable, are to be seen every where. Add to these those whose labor is misdirected or misapplied, and taking into view, also, the improvements made and making in the arts, and saving by the division of labor, and the saving which might be effected by a proper restraint upon our appetites, and it is easy to see that if each individual were to perform his proper duty, and in a proper manner, to the best of his ability, much less than one

half of the working days of the week, devoted to the wants of the body, would be ample for procuring all that is needful for health and comfort.

106. This would leave the remainder for intellectual culture and social enjoyment, and efforts for the general good, and if, in addition to all this, the duty of each is practically performed under the golden rule, we should soon witness a degree of social elevation which has never yet been approached, in the most refined portion of the most civilized of the christian nations of the globe.

107. In our own country the necessity for all to labor in a manner the most profitable and effective, is being pressed upon us with peculiar urgency and force. The extent to which the labor of the country is being disturbed by transfers to our army and navy, of those who have been most active as producers, and who are still consumers, renders extraordinary effort important.

108. The nation, by reason of the present great revolt, is necessarily contracting an immense debt, the means for the liquidation of which must be derived from its industry and its accumulated wealth; but the burden thus cast upon us should be cheerfully borne, and not counted as such in view of the great interests involved,—interests of a character the dearest possible, not to the people of this country or to this generation only, but to mankind throughout all the generations of the future. The burden thus imposed, grievous and weighty as it may be, at first, is quite certain to be gradually removed by the increase in the population of the country, by the additions to its producing power from improvements in the arts, (improvements which in past years have enabled our people from their accumulations to supply thus far the wants of the government,) and by the better reward which

labor is likely to obtain in future because of the higher estimate put upon it through the instrumentality of the war. The severest of our trials will be caused, not so much from the burden of a great national debt, as from the humiliation and mortification and sorrow in view of the character of the struggle, the loss of so many noble and valuable lives, and the painful reflection that the vast amount of human effort demanded by it, successfully to maintain the rights of humanity, would have contributed, if differently directed, largely to our national wealth and strength, and to the comfort and wellbeing of every individual and family in our land.

109. It was the especial and acknowledged aim of the authors of the rebellion, to perpetuate thereby an odious monopoly over the labor of others. Their success in riveting the chains of human servitude would have stimulated to ef-

forts in the same direction, regardless of the color of the skin, and the wheels of revolution and progress throughout the civilized world, which for the last three centuries have been moving in unison with the interests of labor and the cause of human brotherhood, would have been turned remorselessly backward.

110. The contest therefore is not simply one in which a disloyal and ungrateful people are endeavoring forcibly to extricate themselves from their obligations to a government which, has ever, treated them justly.

It is one in which the labor of the world is interested.

It is the same contest which for so many centuries has held the toiling millions between the mill-stones of power, and which at the present time has reached its culmination in one of its phases, within our own limits. A contest the more dreadful and deplorable because of its

intestine character, and waged by those who from education and the example of their fathers should be standing shoulder to shoulder with us in the world's struggle for the rights of humanity.

111. In this country, where the standard of intelligence and morals is probably higher, with the mass of the population, than in any other equal portion of the earth's surface, holding as large a population, the experiment, as stated in the first part of this article, is being made of a government established upon the basis, that the voice of the majority of the governed, or of those who rightfully hold the supreme power, is paramount.

112. The practical working of this experiment has thus far exceeded the most sanguine expectations. Until the recent great outbreak, history affords no parallel to the prosperity which shone upon us as a nation. Under the benign influence of our free institutions, industry

was encouraged by securing to labor, more completely than under the forms of government prevailing in Europe and elsewhere, its just reward.

The necessaries and comforts of life were enjoyed by us in a higher degree than was probably ever before experienced by any people. The operation of our laws was such, by the equal division of estates, and the absence of a privileged class in the government, and their administration was so just, and property was so lightly taxed, that every where was prosperity and abundance.

Of the comparatively few cases of suffering by destitution, the most of them were caused by the neglect or the vices of the sufferers themselves.

113. Laws approved by the majority of those qualified to act can not well be otherwise than the best adapted to promote the general welfare. The natural, and to a certain extent, necessary inequalities in

the condition of men, instead of being increased, as under other forms of government, are very greatly lessened.

114. As beneficial, however, as our republican system has proved to be, and superior, as it undoubtedly is, to all other forms of government in the protection it affords to labor and to individual rights, yet its influence, as has already been stated, is limited in the regulation of human conduct.

It can only prescribe limits to individual action under general rules, and impose penalties for the violation of those rules when those violations are properly noticed and shown to be such by the decision of the courts.

115. Much as our peculiar form of government has been able to accomplish, or may yet accomplish when further improved, in ameliorating the condition of the people, very much remains to be accomplished, which can only be effected by widely dif-

ferent means, namely, by the careful observance on the part of each individual of the injunction of the Great Teacher and Lawgiver to "love our neighbors as ourselves."

116. To do good or to abstain from wrong within the limits of the statute or written law is not enough. We must obey the great and divine law of charity and love, must conform to it as *imperatively* binding upon us. We must realize that a neglect or violation of it will assuredly bring upon us, sooner or later, the penalties due to its violation. We must respect and obey it as the law of God, and in doing this we must not forget that as our written or statute laws have, under our free institutions, more emphatically than any other, the divine sanction, we must submit to and obey them even if they may seem to be wrong.

117. Under such a government as ours there is no law superior to the supreme

law of the land. All governmental ordinances from the fundamental law or constitution down to the by-laws of the smallest town or borough, have the divine sanction. They are in the strictest sense the manifestations of the divine will, the acts of a special providence for our guidance, and should be respected and obeyed as such.

118. While the laws of the land should be consistent with natural or divine rights, or rather should be simply declaratory of those rights, yet they may not be thus consistent, but may in fact, in particular instances, operate unjustly. They should nevertheless be obeyed, and implicitly in all cases where the evil of obedience does not greatly outweigh that of resistance. Under a free government resistance can seldom, if ever, be justified, because unjust laws under such a government are very sure, sooner or later, to be rectified in a legitimate way by the good sense and right feeling of the majority. It is very safe to

assume that, under such a government, the evil which would ensue from a forcible resistance to the laws would not be compensated by any resulting benefit.

119. No sacrifice is too great for the maintenance of such a government as ours. Those other forms which differ radically from our own are hostile to the rights and true interests of the people. Their tendency is to resolve men into classes, the higher or most privileged class being supported by and assuming the right to dictate to and to govern the lower.

120. The republican system places all upon a just level as to their civil rights. It opens wide the door of emancipation from the tyranny of class, and makes promotion to the higher places of trust, power and influence, possible for all who are duly qualified. It encourages such to render themselves worthy of preferment by the acquisition of a suitable education and irreproachable conduct. It awakens the

ambition of men to a higher self-culture, and to a love of the more refined enjoyments of life. But while it does all this it must be remembered that the great object of securing to man greater happiness may not be attained.

121. Men are not benefitted by lifting them from the depressed condition in which the tyranny of class or the selfishness of their fellow-men or their own indolence or misfortunes may have placed them, to the enjoyments and rational pleasures of life, if they are thrust back, or liable to be thrust back to their former condition. That condition which before the change to a better was bearable, and had even its enjoyments, through ignorance of a better, becomes a terrible punishment to those who have tasted the sweets of cultivated life, and the enjoyment which is found in homes of comfort and ease.

122. To have succeeded, therefore, in establishing and maintaining a republican

system of government of the best form is not alone sufficient. This step, an important one in man's progress, only renders another the more necessary, and that other demands of each individual that, by his own effort and the grace of God, he conquer his selfish desires, and open his heart to his fellow-men, and find his greatest happiness in sharing with them the trials and the enjoyments of life.

123. When our fathers laid the foundation of this glorious republic they were actuated by the lofty principle of love to their fellow-men. It is our duty not only to preserve the institutions thus founded in the true spirit of benevolence and Christian charity, but to go farther and see that in the performance of life's duties we exhibit individually in our social relations the same noble sentiments and interest in the welfare of others.

124. It is a solemn duty resting upon each one of us to use our best endeavor

to elevate the standard of public virtue and of Christian charity, so that the material prosperity which is sure to follow in the train of a republican government shall not prove a curse instead of a blessing.

125. *Christianity is the life and soul of a free government. The two can not be separated.* The latter may without the former flourish for a season, but it must inevitably languish and die if not upheld by that high degree of virtue in the people which Christianity alone can impart.

To maintain and perpetuate such a government we must become a truly Christian people, and we must have the grace of God to make us such, for "except the Lord build the city they labor in vain who build it."

126. In a former number we pointed out the necessity of co-operation among the heads of families, and their duty to hold within their own control the civil government of the country; but while

such co-operation is all important, they have another duty to perform not less weighty and cogent, namely, their duty to those over whom they have more immediate control, and who look to them for guidance and support. Each head of a family clothed as he is with a power almost despotic within his own household, occupies in this particular a position of very great responsibility. The proper training of children, their education and preparation for the duties of life, require knowledge, judgment, good example, firmness, and steadiness in guiding, such as can only be acquired by serious and earnest endeavor and attention on the part of parents.

127. As the great work of civilization is to be accomplished, and is manifested mainly by an improvement of the family institution, the heads of families will be held in a high degree accountable for that improvement. Under the unexampled

prosperity with which, in past years, our country has been blessed, we have lost sight of duty in this respect. Parents, from indifference, or because engrossed by worldly cares or the pursuit of gain, or trusting too much to the efficacy of Sunday School teaching and pulpit monitions, have neglected, and still neglect, their duties to their children, and to that degree that at no time, perhaps, in the history of our country, has there been a more wretched display of immorality and depraved appetite by the youth of our country than at present.

128. The efforts of the church and the schools will be in vain exerted to check this great and growing evil, unless vigorously seconded by the heads of families. We ask our countrymen to ponder well this subject, and to do each his part promptly and manfully in the great work of family reform, a reform which is the basis of whatever is elevating and enno-

bling in the social condition of man; and while thus appealing to the heads of families we would say to those who fill the places of power and responsibility in the state, and in the church, and in our seminaries of learning, to give this subject of the family its due importance in your teachings, and to strive more earnestly to effect a better understanding by mankind of their duties in regard to it.

129. Neglect of those duties is a most certain indication of the speedy downfall of a people. Any system which leads to such neglect or tends to seriously impair the good character of the family institution is certain, sooner or later, to be followed by fatal results. No nation can long stand and prosper where great disparity in the condition of the people exposes the weak and ignorant to the passions and appetites of the strong. Public virtue, which is a necessary basis of all right and stable government, can not be maintained if the

sanctities of the hearth and the altar are invaded.

130. It is in this view that human slavery, or abject dependence of any form, by first demoralizing is sure to effect the ruin of a people. The history of mankind during the past ages becomes intelligible, and its teachings become of value mainly when viewed in the light of the great truth we have been endeavoring to inculcate. To ensure a good government and an improved condition of society we must strive by all proper means to give to the families of the land a proper social equality, and to each household the most perfect ordering of its domestic concerns.

131. There is at the present time in our country a low state of morals and intellectual culture compared to what it may and must be, if the blessing of a government so excellent as our own is to be preserved.

We can not be too deeply impressed with

the great truth *that the remedy for the ills of society lies only partially in the power of civil government to remedy*, even if that government is of the best kind and administered in the best manner. It must be sought for in the improved moral and religious condition of man, in the elevation of his moral and intellectual powers, in his entire submission to the law of love to his fellow-man, and in an unceasing conscientious effort to do all which that law enjoins.

132. This condition of the human race must be the work of time and of patient persevering Christian effort. It must especially be the work of those who have been blessed with perceptions of truth, and a religious sense of right in a superior degree, and who possess hearts in sympathy with their fellow-men beyond the majority of mankind.

133. Thus far the march of civilization has been slow, but there is reason to ex-

pect an acceleration in the future stages of its progress, being now so wide-spread that the causes operating to retard will be more and more local and circumscribed in their influence, so that the period may yet arrive when very much that is now wrong in the condition of society will be rectified; when labor in all its forms will be more justly and truly honored; when virtue will be loved for its own sake; and when each individual member of society will understand much more fully than at present his social duties, and be far more attentive to their faithful performance; when man shall cease to look upon his fellow-man with less of love than distrust; and when each shall find his greatest happiness in contributing to the happiness of all.

134. The words of the gifted Winthrop, penned but a short time before he gave his life a sacrifice upon the altar of his country, are worthy of remembrance.

"When shall we cease our wretched distrust?
When to each other our true hearts yield?
To make this world an Eden we must
Fling away each weapon and shield,
And meet each man as a friend and mate,
Trample and spurn and forget our pride,
Glad to accept an equal fate,
Laboring, conquering, side by side."

135. The free government which our fathers gave us, and which, although not claimed to be in all respects perfect, is yet the best and most beneficent ever established by man, is now assailed by traitors whose hands, red with fratricidal blood, are endeavoring to destroy it. To maintain this glorious government—to preserve it with all its manifold blessings to the generations that are to come after us, we are now, at a cost of hundreds of millions, sending our brave and patriotic youth to the battle-field.

136. We can not for a moment doubt the result. The Union will be restored. The constitution, which is the bond of union, will be again recognized and re-

spected as the fundamental law of the whole land. Our banner—the star-spangled banner—the banner of freedom—will again float in triumph and in beauty over all the vast domain of the United States. This will be the result of the great efforts and the great sacrifices we are now making. But all this great effort and these great sacrifices will be in vain if the national mind and the national heart are not elevated and purified—the one from the gross ignorance that still clouds it, and the other from the selfishness that defiles, and debases, and corrupts, and destroys.

137. Great as is the effort and the sacrifice we are now making to sustain our excellent government, we have yet, if successful, to make a still greater effort for its preservation. We shall have then to battle—not against men armed with all the improved implements and methods for destroying life in modern warfare—not against treason in open and armed hostility

to the government, but we shall have to contend with the ignorance, the selfishness, and the savage appetites and passions of man. We shall have to contend with that host of mailed giants who hold in durance the most vile the minds and the hearts of men, whose captain and leader once confronted with his army of rebels the powers of heaven.

138. Should this great effort not be made, or fail of being successful, then the history of our nation, like that of the nations that have preceded it, will contain the record of its decline and dissolution—will contain the story of the fall of the freest and most beneficent government ever established—a government never again to exist in equal perfection and grandeur until the distant ages have given to the world a people who, while they shall bear, like us, God's image externally, shall also exhibit no less perfectly his glorious image internally in their hearts and in their lives.